



# **BANGLADESH: HUMAN RIGHTS REPORT 2015**

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**Odhikar Report**

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## EXECUTIVE SUMMARY

Human rights situation in Bangladesh has been dealt a severe blow by the controversial and farcical Parliamentary elections held on January 5, 2014. Disorder in the electoral systems in Bangladesh became more widespread after January 5, 2014. As a result, conducting a free, fair and neutral election has become almost impossible. Upazila Parishad elections in 2014 and City Corporations and Municipality elections in 2015 were marked by unlawful activities, including massive electoral rigging, ‘capturing’ of polling stations, casting of fake votes and violence. All these made the whole election process a farce.

The Awami League led government of 2009–2014 and 2014–present amended the Constitution, repealing the provision of an interim Caretaker Government arbitrarily without securing consent from opposition political parties or through holding a referendum. The Election Commission then declared an Election Schedule, which was not shared with the then BNP-led parliamentary Opposition. The BNP-led Opposition refused to participate in the 2014 Parliamentary elections unless a caretaker government was reinstated. In 153 constituencies (out of 300), Awami League candidates were declared uncontested winners, even before the polling commenced, as there was no other candidate contesting. People did not even have the chance to exercise their right to franchise and the Parliament rejected the suggestions raised by the opposition for incorporating provision of negative voting. There were also widespread reports of irregularities and election-related violence on the polling day. The Parliamentary Opposition currently is the Jatiya Party, which, unprecedentedly also has Ministers in the Awami League led government. Such Opposition is both contradictory and ineffective. As a result, the Parliament has entirely lost its meaning. However, the main opposition party to the Awami League, has always been considered to be the Bangladesh Nationalist Party (BNP).

The Government has politicized different institutions. So-called ‘independent’ institutions like Election Commission, Anti Corruption Commission, National Human Rights Commission and Information Commission have been made subservient to the government. At the same time the government caused numerous human rights violations in 2015 through granting impunity to law enforcement agencies and enacting and implementing various repressive laws. We have incorporated some of them in this report. Human rights activists have repeatedly warned about the possibility of extremism in politics as a consequence of state repression and violations to freedom of expression, however, such violations and repression continued.

The ruling party, the Awami League (AL), in the name of ‘fighting terrorism’, is not only attacking social and political organisations that believe in democratic politics, they are even threatening the independent civil society organisations. If such destructive process in the

politics continues, the consequences will not only affect Bangladesh, but it may become a threat to the whole of South Asia.

Compared to 2014, in 2015, incidents or trends of various human rights violations, including extrajudicial killings, enforced disappearances, torture in the custody of law enforcement agencies, attacks on journalists, political violence, bans on meetings and assemblies, public lynching, violence against women and children, and attacks on citizens belonging to minority communities, were not seen to have decreased or brought under control. In addition, the government's inability to deal with killing of Bangladeshi citizens by the Border Security Forces of India further eroded its credibility.

Democratic and civil and political rights are under threat due to the Fifteenth Amendment to the Constitution. Moreover, means to stifle freedom of thought and conscience and suppress dissenting voices makes the situation unbearable. Debate on political questions and the space to address them have ceased to exist. Under these circumstances, the government can perpetrate human rights violations freely; and the opportunity to protest and resist is becoming endangered. Constitutional and peaceful settlement of the political crises has become impossible under such circumstances.

Due to farcical national and local elections, the government's moral and legal basis and its justification has now become questionable. It is forced to suppress people in order to hold its power – ignoring human rights. Though ‘influential countries’ were initially critical of the government, they cannot take a clear principled position, presumably driven by strong commercial interests. This may not augur well for Bangladesh and the region as a whole. To cope with this situation, a strong regional and international moral standing, in favour of democracy and human rights, needs to be taken. Otherwise, the human rights situation in the country will continue to deteriorate. Odhikar urges all relevant stakeholders to monitor and take effective role in this matter, before a major disaster occurs.

## **Political Violence: Intra Party Conflicts**

Internal conflicts in the ruling party became endemic in 2015. However, due to the publishing and broadcasting of news by the media, about criminalisation of the Awami League's front organisations, the number of killed and injured persons in inter-party clashes declined slightly in 2015. Incidents of extortion, capturing tender bids, criminalisation in educational institutions and illegal occupation of hostels<sup>1</sup> in colleges and universities have been perpetrated by the front organisations, including the ruling Awami League-backed

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<sup>1</sup> Residential hall for the students in colleges and universities

Bangladesh Chhatra League<sup>2</sup> and Jubo League<sup>3</sup>; and the ordinary people and students have been victims of such violence.

<b>Political Violence: Statistics of intra-party clash</b>									
<b>Year</b>	<b>Killed in intra-party clash</b>			<b>Injured in intra-party clash</b>			<b>Total number of incidents of intra-party clash</b>		
	<b>Awami League</b>	<b>BNP</b>	<b>Others</b>	<b>Awami League</b>	<b>BNP</b>	<b>Other</b>	<b>Awami League</b>	<b>BNP</b>	<b>Others</b>
2015	40	2	0	3884	157	12	364	11	1
2014	43	2	0	4247	397	119	374	39	6
2013	28	6	0	2980	1592	68	263	140	3
2012	37	6	0	4330	1619	47	382	146	5
2011	22	3	1	3770	1234	20	340	104	4
2010	38	7	9	5614	1146	60	576	92	9
2009	38	2	0	6092	865	0	663	75	0
<b>Total</b>	<b>246</b>	<b>28</b>	<b>10</b>	<b>30917</b>	<b>7010</b>	<b>326</b>	<b>2962</b>	<b>607</b>	<b>28</b>

Source: Odhikar's documentation

Overall there is no significant decrease in the number of victims of political violence. Political violence that occurred until 2015 ahead of the elections in 2014 was unusual. However, Odhikar documentation reveals that 190 were killed in 2014 due to political violence, and the figure of such casualties increased to 197 in 2015; and in most cases, the perpetrators involved into these violations could not be brought to justice.

	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Persons killed in political violence	251	220	135	169	504	190	197

Source: Odhikar's documentation

## **State Terrorism and Violence**

Incidents of enforced disappearances, extrajudicial killings, torture in the custody of law enforcement agencies, barriers to freedom of expression and the media, attacks on religious and ethnic minority communities and violence against women were significant in 2015. The government failed to take any effective role against constant killing, torturing and kidnapping of Bangladeshi citizens by the Indian Border Security Force (BSF). Political intolerance; lack of effective national institutions; widespread corruption; and human rights abuses were found to be some of the main obstacles to the practice of democracy.

<sup>2</sup> Student wing of Awami League

<sup>3</sup> Youth wing of Awami League

Compared to 2014, extrajudicial killings and enforced disappearances increased in 2015. Arbitrary detention continued and prisons were over-flowing with inmates, mainly political opponents.

### Statistics on state terrorism and violence from 2009 - 2015

Type of Violence	2009	2010	2011	2012	2013	2014	2015
Extrajudicial killings	154	127	84	70	329	172	185
Death in jail	50	60	105	63	59	54	51
Enforced disappearances	3	18	31	26	53	39	65

Source: Odhikar's documentation

## Human Rights Violations on Journalists

Government interference over the media has increased. In Bangladesh, risks in journalism are not new. Killing and attacking journalists continue mainly for reporting news that goes against the government and the ruling party activists.

	2009	2010	2011	2012	2013	2014	2015
Journalists killed	3	4	0	5	0	1	1
Journalists under attack, injured and assaulted	145	178	206	221	190	118	104
Journalists threatened	73	49	53	63	33	19	34

Source: Odhikar's documentation

## Killing along the Border

Bangladeshis have been killed by the Indian Border Security Force (BSF) across the border on a regular basis. Moreover, there were several incidents of Bangladeshi citizens being shot and wounded by the Indian force. Delhi does not seem to be concerned with violations of international human rights laws. The government of Bangladesh is also not concerned with the unlawful deaths of its citizens in the borders. Its failure to lodge strong protest and inability to ensure protection of Bangladeshis in the border region, proves as much.

The relation between Bangladesh and India has been complicated despite the unlawful killings, which was internationally condemned. Slight improvement was seen after international protests in 2013; however, the desperation of the Indian Border Security Force has become visible again, in 2015, as incidents of killing at the Bangladesh-India border areas increased.

### Statistics of violations at the border by BSF

	2009	2010	2011	2012	2013	2014	2015
Killed by BSF	98	74	31	38	29	35	44
Injured by BSF	77	72	62	100	79	68	60
Kidnapped by BSF	25	43	23	74	127	99	27

Source: Odhikar's documentation

## Readymade Garment Industries

The RMG sector is a very important pillar of the country's economy that create job opportunities for a very large number of people. The vast majority of women workers are employed in the garment industry. For this reason, the contribution of this sector in women's empowerment is significant. Unfortunately, the owners of the garment factories are reluctant to give workers' due wages and fulfil other relevant demands. Many factories were also closed without notice. Sudden termination of workers and not providing wages on time is two of the main reasons for workers' unrest. In 2015, a large number of such incidents occurred.

### Statistics of attack against garment workers

	2009	2010	2011	2012	2013	2014	2015
Number of workers killed	7	33	4	115	1145	1	0
Number of workers injured	1301	2389	917	2773	5566	745	250

Source: Odhikar's documentation

## Public Lynching

The society's hostility and mistrust towards law enforcement and the lower judiciary has reached an untoward situation and public lynching has become an increasing trend. Mistrust in society, atrocities and the cruelty of public lynching by mobs increased due to the lack of respect for law, distrust of the police and instability in the country. This has also increased fear and insecurity among people. People are being killed by public lynching in different places of the country. This trend is dangerous from all aspects – moral, cultural and legal.

### Statistics on beaten to death by mob

	2009	2010	2011	2012	2013	2014	2015
Death due to public lynching	127	174	161	132	125	116	132

Source: Odhikar's documentation



## Violence against Minority Communities

Incidents of land grabbing, intimidation, extortion and various kinds of illegal activities, including attacks on minority communities and their places of worships have become a common phenomenon; and such violence continue under political shelter. The apathy of the government and the administration regarding attacks on religious minority and their places of worships is the single most worrying issue for human rights defenders concerned about the safety and security of these communities. Such incidents happen repeatedly due to the failure of arresting and punishment of perpetrators. Furthermore, the systematic politicisation of these incidents and the blame game make the situation more vulnerable. Some influential and vested interest groups are attacking citizens belonging to the religious minority communities, taking opportunity of the violent political situation and also vandalising and setting fire to their places of worships.<sup>4</sup>

### Statistics of violence against minority communities

	2009	2010	2011	2012	2013	2014	2015
Number of persons killed	6	8	47	30	32	21	19
Number of persons injured	545	384	201	147	150	136	130

Source: Odhikar's documentation

## Violence against Women

The level of incidents of violence against women in society is another aspect to measure the political situation of the country. There is no sign of stopping acts of violence against women. The absence of morality and lack of implementation of the laws and regulations are some reasons for this. However, due to social-advocacy, incidents of acid throwing has declined. But incidents of rape has increased; The main reason for this situation is that perpetrators are able to escape justice even after committing an offence, sometimes due to political patronage. This makes such criminals more reckless and encourages potential perpetrators.

### Statistics on violence against women

Kinds of violence	2009	2010	2011	2012	2013	2014	2015
Acid violence	101	137	101	105	53	66	47
Dowry violence including relatives	324	390	529	838	443	249	209
Rape	456	559	711	805	814	666	789

Source: Odhikar's documentation

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<sup>4</sup>It has been seen since the independence of Bangladesh that after every elections the religious minority communities have been deliberately targeted for political and financial benefits. Awami League, BNP, Jamaat and Jatiya Party - all are allegedly involved in this attack.

In order to bring public attention to the increasing trend of the crime of rape, we are presenting figures in detail. In general, rape is seen to be on the rise since 2009 and the incidents of rape of children and gang rape are increasing as well.

<b>Rape (2009 – 2015)</b>				
<b>Year</b>	<b>Total No. of Victims</b>	<b>Total No. of Women</b>	<b>Total No. of Girl Children (below 18 years)</b>	<b>Unknown (Ages could not be ascertained)</b>
2015	789	293	479	17
2014	666	244	393	29
2013	814	336	452	26
2012	805	299	473	33
2011	711	246	450	15
2010	559	248	311	0
2009	456	213	243	0
<b>Total</b>	<b>4800</b>	<b>1879</b>	<b>2801</b>	<b>120</b>

Source: Odhikar's documentation

<b>Year</b>	<b>Gang Rape</b>			
	<b>Women</b>	<b>Girl Child (below 18 years)</b>	<b>Unknown (Ages could not be ascertained)</b>	<b>Total</b>
2015	141	131	5	277
2014	118	92	17	227
2013	127	94	15	236
2012	101	84	12	197
2011	119	115	5	239
2010	119	95	0	214
2009	97	79	0	176
<b>Total</b>	<b>822</b>	<b>690</b>	<b>54</b>	<b>1566</b>

Source: Odhikar's documentation

<b>Year</b>	<b>Killed after being raped</b>			
	<b>Women</b>	<b>Girl Child (below 18 years)</b>	<b>Unknown (Ages could not be ascertained)</b>	<b>Total</b>
2015	32	33	0	65
2014	31	34	1	66
2013	30	40	1	71
2012	31	39	5	75
2011	54	34	2	90
2010	61	30	0	91
2009	64	33	0	97
<b>Total</b>	<b>303</b>	<b>243</b>	<b>9</b>	<b>555</b>

Source: Odhikar's documentation

The social stigma attached to rape adds to the number of suicides among women and children.

Year	Suicides after being raped			
	Women	Girl Child (below 18 years)	Unknown (Ages could not be ascertained)	Total
2015	2	3	0	5
2014	7	5	0	12
2013	2	4	0	6
2012	0	10	0	10
2011	4	9	0	13
2010	2	5	0	7
2009	4	4	0	8
<b>Total</b>	<b>21</b>	<b>40</b>	<b>0</b>	<b>61</b>

Source: Odhikar's documentation

## Notes

1. Odhikar seeks to uphold the civil, political, economic, social and cultural rights of the people.
2. Odhikar documents and records violations of human rights and receives information from its network of human rights defenders and monitors media reports in national daily newspapers.
3. Odhikar conducts detailed fact-finding investigations into some of the most significant violations, with assistance from trained local human rights defenders.
4. Odhikar is consistent in its human rights reporting and is committed to remain so.

# Detailed Report

## A. Political Situation

### *On average, 16 persons were killed in political violence every month*

1. According to information gathered by Odhikar, from January to December 2015, a total of 197 persons were killed and 8312 injured in political violence. Among the killed, 69 persons were burnt to death in petrol bombs and arson attacks during blockades and hartals<sup>5</sup> and five were killed during municipality elections. Of the 8312 injured, 689 persons were burnt in petrol bombs and arson attacks during blockades and hartals. During this period, 134 persons were injured in violence during City Corporation elections and 1203 were injured during Municipality elections. Furthermore, 40 persons were killed in the internal conflict of the Awami League while two persons were killed in the internal conflicts of BNP<sup>6</sup>. During this period 3884 persons were injured in the internal conflicts of Awami League while 157 persons were injured in conflicts within the BNP. In addition, there were 364 incidents of internal violence in the Awami League and 11 in the BNP recorded during this period.
2. The political situation of Bangladesh fell into a dire crisis in 2015, due to the absence of an accountable government and a genuine Opposition in the Parliament. It was extremely confrontational until March. The country-wide blockade and strike called by the BNP led 20-Party Alliance (former 18-Party Alliance) on January 5, 2015, over the controversial January 5, 2014 Parliamentary Elections<sup>7</sup> created a major political crisis. During this period the government randomly arrested and used various forms of repression on many leaders and activists of the opposition; in order to quell their activities. Reports show that most of the victims of such incidents were activists of the BNP and Jamaat-e-Islami. Joint Forces carried out operations in various districts of Bangladesh. Many leaders and activists of the 20-Party Alliance were arrested.<sup>8</sup>

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<sup>5</sup> General Strikes

<sup>6</sup> BNP: Bangladesh Nationalist Party

<sup>7</sup> The Awami League led government of 2009 – 2014 and 2014 – present amended the Constitution, repealing the provision of an interim Caretaker Government without any consensus from opposition political parties or referendum. The Election Commission then declared an Election Schedule, which was not shared with the then BNP-led parliamentary Opposition. The BNP-led Opposition refused to participate in the elections unless a caretaker government was reinstated. In 153 constituencies (out of 300), Awami League candidates were declared uncontested winners, even before the polling commenced, as there was no other candidate contesting. People did not even have the chance to exercise their right to franchise and the Parliament without opposition opinion had also repealed the provision of negative voting. There were also widespread reports of irregularities and election-related violence on the day of polls. The Parliamentary Opposition today is the Jatiya Party, which, incidentally, also has Ministers in the Awami League government. However, the main opposition party to the Awami League, has always been considered to be the Bangladesh Nationalist Party (BNP).

<sup>8</sup> According to a joint statement made by the Asian Legal Resource Centre and CIVICUS at <http://us6.campaign-archive1.com/?u=9283ff78aa53cccd2800739dc&id=12458ec493&e=41b94b008c>, the number of arrested 20-Party Alliance activists is about 14,000.

Incidents of bomb attacks, vandalizing and setting fire to vehicles continued during hartals and blockades. Many ordinary people, including children, were killed and injured due to these attacks. The Awami League government and the BNP led 20-Party Alliance blamed each other for these incidents. Meanwhile students and youth organisations supported by the government are at the top when it comes to violence and criminalisation of politics. It is commonly alleged that they are directly involved in various criminal activities, including violence against women, capturing tender bids, extortion and establishment of supremacy in localities, halls of residence, campuses, etc. with lethal weapons. Proper investigations of most of these incidents are not launched on political consideration and the perpetrators go unpunished. As a result, crimes across the country increased and the law and order situation seriously deteriorated in 2015. During this time foreign citizens, bloggers and members of the security forces also became victims of various attacks.

### ***Examples of political violence***

3. On January 5, 2015 Chhatra Dal<sup>9</sup> leaders Rakib Hossain and Raihan Ali at Tebaria Haat in Natore District<sup>10</sup>; BNP activist Jamsed Ali at Shibganj Municipality area and Kansat in Chapainababganj District<sup>11</sup>; and BNP leader Mojir Uddin of Puthia Upazila under Rajshahi District<sup>12</sup> were shot dead by police in rallies during blockades and hartals. On January 7, Mizanur Rahman Rubel (30) and Jubo Dal activist Mohin Uddin were killed during a violent altercation between police and the leaders and activists of BNP-Jamaat in Chowmuhoni under Begumganj Upazila in Noakhali District.<sup>13</sup>
4. During hartals and the countrywide blockade programmes on January 12, 2015, Enam Hossain was burnt to death when criminals threw petrol bombs on a truck at Jorarganj in Chittagong, on the Chittagong-Dhaka Highway<sup>14</sup>; and on the night of January 13, 2015 six persons were killed when criminals threw petrol bombs on a public bus, as it commenced its journey to Dhaka from Ulipur in Kurigram district.<sup>15</sup> In the night of February 3, 2015 seven persons, including two women, were killed and 26 were severely burnt when petrol bombs were thrown on a bus at Jagmohonpur under Choddogram Upazila on the Dhaka-Chittagong Highway.<sup>16</sup> On February 5, 2015 a truck driver called Polash and a betel leaf seller, Shahidul Islam died when criminals

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<sup>9</sup> Student wing of Bangladesh Nationalist Party (BNP)

<sup>10</sup> The daily Jugantor, 06/01/2015

<sup>11</sup> Report sent by human right defender associated with Odhikar from Chapainababganj

<sup>12</sup> The daily Prothom Alo, 06/01/2015

<sup>13</sup> The daily Prothom Alo, 08/01/2015

<sup>14</sup> The daily Prothom Alo, 14/01/2015

<sup>15</sup> The daily Manabzamin, 15/01/2015 and the Daily Ittefaq, 21/01/2015

<sup>16</sup> The daily New Age, 06/02/2015

threw cocktails and petrol bombs at a truck in front of a petrol pump station at Bolail area on the bypass road in Bogra.<sup>17</sup> On February 6, Syed Ali (42), Halima Bawa (50), Sumon Mia (12) and Rani (7), Sonabhan Begum (28), Sujan (13), Abul Kalam Azad (40) and Saju Mia (25) died when criminals threw petrol bombs at passengers who were travelling on a bus on Gaibandha-Polashbari Road.<sup>18</sup> A truck driver's assistant Selim died on March 4, 2015 when criminals threw petrol bombs on a truck loaded with potatoes, which was coming to Shibganj Bazar from Mohadebpur under Naogaon District<sup>19</sup> and on March 22, 2015 Sharif, a businessman of Jhikargachha in Jessore died when criminals threw petrol bombs on a truck while it was returning to Harinapur.<sup>20</sup>

5. On February 4, 2015 police arrested Jagannathdighi Union unit Jubo League<sup>21</sup> President Manik, Jubo League activist Babul and Kayes with petrol bombs, while the latter were passing through Choddogram Upazila in Comilla. According to locals, they were taken to Choddogram Police Station and were released after a few hours.<sup>22</sup> On February 13, 2015, a group of criminals threw petrol bombs at vehicles in Motihara Bazar on the Dinajpur-Dhaka Highway. The local police caught Putimara Union unit Chhatra League<sup>23</sup> General Secretary Ujjal and another Chhatra League leader Jobaer red-handed with petrol bombs. Later police of Nobabganj Police Station released the arrested Chhatra League leaders on request from the Awami League leaders.<sup>24</sup> On February 24, 2015 RAB arrested Mohammad Shanewaz, President of a Union unit Jubo Dal under Bakerganj Upazila of Barisal, from Pathanpara of Sagorika road with three petrol bombs and one liter of petrol.<sup>25</sup> On March 10, 2015 three fingers on the right hand of Assistant Secretary of Jubo Dal<sup>26</sup>, Firoze Sarkar Biplob were blown off, when he was making bombs in a house in Robertsonganj area in Rangpur.<sup>27</sup> On March 13, 2015 police arrested a Ward unit Jubo League<sup>28</sup> Joint Secretary, Mortuza Raihan from Balubari Shipahipara in Dinajpur town, for carrying petrol bombs.<sup>29</sup>
6. On April 11, 2015 an altercation took place between two groups of Chhatra League over the taking of photographs at a conference of Chhatra League activists; in the

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<sup>17</sup> The daily Manabzamin, 06/02/2015

<sup>18</sup> The daily Prothom Alo, 07/02/2015 and the daily Jugantor, 12/02/2015

<sup>19</sup> Report sent by human right defender associated with Odhikar from Chapainawabganj.

<sup>20</sup> The daily Prothom Alo, 23/03/2015

<sup>21</sup> Youth wing of Awami League

<sup>22</sup> The daily New Age, 06/02/2015

<sup>23</sup> Student wing of Bangladesh Awami League

<sup>24</sup> The daily Naya Diganta, 15/02/2015

<sup>25</sup> The Daily Ittefaq, 25/02/2015

<sup>26</sup> Youth wing of the BNP

<sup>27</sup> The daily Prthom Alo, 11/03/2015

<sup>28</sup> Youth wing of Awami League

<sup>29</sup> The daily Jugantor, 15/03/2015

presence of the President of the Chhatra League Central Committee, Badiuzzaman Shohag and General Secretary, Nazmul Alam, at the Town Hall in Comilla. During the clash, Comilla Metropolitan unit Chhatra League President Saiful Islam was killed. At least 10 persons were injured during this incident.<sup>30</sup> On May 13, 2015 Mosharraf Hossain, a Masters degree student of the Department of Criminology and Police Science at Mawlana Bhashani Science and Technology University, was killed in a violent altercation between the two groups of Chhatra League; over establishing supremacy in the University campus.<sup>31</sup> On June 2, 2015 an altercation took place between the supporters of Kutubpur Union unit Awami League President Ibrahim Shikdar and the supporters of Kutubpur Union unit Jubo League President Atique Matubbor, in Shibchar Upazila under Madaripur District. Arshed Matubbor (35) and a local shopkeeper Shahjahan Ghorami (40) were shot dead during the clash.<sup>32</sup> On July 23, 2015 an elderly man named Abdul Momen Bhuiyan Miraz (62) was shot dead and a pregnant woman named Nazma Begum was shot and injured during a clash between two factions of Chhatra League in Magura city. To save the mother and the child, doctors took out the unborn female child after an operation.<sup>33</sup> On October 2, 2015 ruling party Member of Parliament (MP) from Gaibandha-1 constituency and President of Sundarganj Upazila unit Awami League, Manjurul Islam Liton, shot and severely injured a student of class IV, Shahadat Hossain Shourav (9) with his pistol on the Sundarganj-Bamondanga road.<sup>34</sup> On November 4, 2015 a Constable named Mukul Hossain of the Industrial Police, was attacked and stabbed to death in broad daylight by criminals at a Dhaka-Tangail highway check post in Baroipara of Ashulia under Savar Upazila in Dhaka. Four more policemen were injured during the attack.<sup>35</sup> On December 19, 2015 a violent altercation took place between supporters of two factions of the Kushtia Islami University unit Chhatra League, led by the university unit Chhatra League, President Saiful Islam and General Secretary, Amit Kumar and supporters of the university Chhatra League Vice-President, Mizanur Rahman. At least 10 people from both the groups were injured. Both groups used firearms and home-made weapons during the clash.<sup>36</sup>

7. As in other years, in 2015, most of these incidents of mayhem and killing were not duly investigated. As a result, criminalisation seems to be strongly encouraged under political cover.

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<sup>30</sup> The daily Naya Diganta, 13/04/2015

<sup>31</sup> The daily Prothom Alo, 14/05/2015.

<sup>32</sup> The daily Manabzamin, 04/06/2015

<sup>33</sup> The daily Prothom Alo, 29/07/2015

<sup>34</sup> The daily Jugantor and Manabzamin, 03/10/2015

<sup>35</sup> The daily Jugantor, 05/11/2015

<sup>36</sup> The daily Prothom Alo, 20/12/2015



## B. Elections

8. The ruling party leaders and activists ensured the victory of their candidates in the local government elections held in 2015, by casting fake votes, forcefully occupying polling centers (commonly called ‘capturing’ polling centres), and attacking leaders and activists of opposition political parties. Although irregularities and criminal acts were reported during the elections, the Election Commission hardly took any effective remedial measures. The current members of the Election Commission violated their constitutional oath by showing loyalty to the ruling party; and the EC has completely failed to conduct free, fair and impartial elections. In several instances when violence occurred at polling stations, the police remained inactive.

### *City Corporation Elections 2015*

9. Dhaka North, Dhaka South and Chittagong City Corporation elections were held on April 28, 2015 and were fraught with acts of ousting polling agents of the opposition political parties; capturing polling centres; casting of fake votes; preventing journalists from entering the polling centres and attacking them; and other forms of violence. The government deprived the people from the right to vote; and ensured the victory of Awami League-supported candidates. According to the government’s demands, the Election Commission declared the election schedule and fixed April 28, 2015 for voting. The role of the present Election Commission was widely questioned.<sup>37</sup> The BNP led 20-Party Alliance-supported candidates and their supporters were arrested and obstructed when they came out for election campaigns.<sup>38</sup> The supporters of the ruling party attacked and even shot at BNP Chairperson Khaleda Zia’s motorcades several times, while she was campaigning for candidates.<sup>39</sup> In some places, the supporters of the ruling party also attacked supporters of the other Mayor candidates of Ganasanghati Andolan; Communist Party of Bangladesh; and Socialist Party of Bangladesh. The Election Commission did not take any effective measures to ensure a democratic atmosphere. Though it was proved that the elections held in three city corporations were ‘farcical’, the Chief Election Commissioner justified the polls as being “free and fair”.

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<sup>37</sup> Election Commission was made a subservient institution of government, by nominating commissioners through a pro-government selection committee made by the government in 2012.

<sup>38</sup> The daily Naya Diganta, 20/04/ 2015

<sup>39</sup> On April 20 and 22, 2015 BNP Chairperson Khaleda Zia’s motorcade was attacked by a group of youth, chanting “Joy Bangla” (the slogan used by the Awami League) while she was campaigning for BNP supported Mayoral candidate of Dhaka North City Corporation, Tabith Awal at Kawran Bazar and Bangla Motor areas in Dhaka. Sources: The daily Jugantor, 21/04/2015 and The daily Manabzamin and Prothom Alo, 23/04/2015

## ***By-election in Dohar Upazila***

10. On September 21, 2015 by-elections of Dohar Upazila Parishad were held, with incidents of ‘capturing<sup>40</sup>’ polling centres, casting fake votes, violence and irregularities. On election day, leaders and activists of many associated organisations of the Awami League, including Chhatra League and Jubo League<sup>41</sup>, gathered within and outside the polling centres soon after voting commenced. At that time, activists of Awami League, Jubo League and Chhatra League, led by Keraniganj Upazila Chairman, Shahin Ahmed, forcibly ousted the polling agents of the candidates supported by BNP and Independent candidates from different polling stations and intimidated voters. BNP supported candidate Sirajul Islam and independent candidate Mehabub Karim said that they did not get any assistance from RAB, BGB or the police in this regard. During the elections, BNP supported candidate Sirajul Islam and independent candidate Mehabub Karim organised a press conference at noon and boycotted the elections in protest of the rigging, capturing of polling centres and casting of fake votes. The Awami League supported candidate, Alamgir Hossain, was elected Chairman in the controversial by-election.<sup>42</sup>

## ***Municipality Elections 2015***

11. On November 2, 2015 the President of Bangladesh issued an Ordinance by amending the Local Government Act to incorporate the provision of holding elections under political party symbols.<sup>43</sup> This was published on November 3, 2015 as a Gazette. On November 9, the Cabinet approved the amended draft law. Decisions were made through this amendment that all local government elections, including the forthcoming Pourashova (Municipality) Elections, will be held under a political banner.<sup>44</sup> On November 5, the Election Commission (EC) sent the final draft of the electoral Code of Conduct to the Law Ministry for vetting, after the issuance of this Ordinance for holding local government elections with identification and symbols of political parties. On November 22, the National Parliament passed three Bills keeping the provisions of holding elections under party symbols only for Mayor elections in Municipalities, Chairman elections in Upazilas and Union Parishad elections.<sup>45</sup> The

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<sup>40</sup> Taking over a polling centre by force and intimidation, usually for the purpose of casting false/fake votes for the benefit of a particular candidate.

<sup>41</sup> The ruling political party and its student and youth wings respectively.

<sup>42</sup> The daily Jugantor, 22/09/2015

<sup>43</sup> Previous to this, municipality elections were contested by non-partisan and independent candidates and people voted for them.

<sup>44</sup> The daily Prothom Alo, 10/11/2015 and the daily Manabzamin, 12/11/2015. Local elections had always involved a process where people would vote for popular local figures, who are candidates with no political colour. Giving local level elections a political identity by the use of these symbols will drive away this practice.

<sup>45</sup> The Daily Star, 23/11/2015

EC declared the election schedule on November 24, without taking any opinion of the opposition political parties, of the civil society or of the people, for holding local government elections under political party symbols. Later the Municipality polls were held on December 30 in 234 Municipalities.<sup>46</sup>

12. As a founding member of the Asian Network for Free Elections (ANFREL Foundation), Odhikar has been monitoring elections in different countries across Asia, including Bangladesh since 1996. Odhikar is a registered organisation with the Election Commission of Bangladesh. On November 26, 2015 Odhikar submitted applications to the Secretary of the Election Commission to monitor elections, as a mobile observer, in 50 Municipalities which were to be held on December 30. On December 27, Odhikar sent a letter to the Secretary of the Election Commission, asking for updates. The EC did not give Odhikar any decision regarding election observation. As a result Odhikar could not monitor the elections directly. However, local human rights defenders associated with Odhikar, who were also involved with the media, were able to get permission from the local administration and gathered election related information from 48 Municipalities; and observed the overall situation of elections and monitored the level of election related violence inside and outside the polling centers.<sup>47</sup> Moreover, Odhikar collected election related information and reports from various media.
13. Encouraged by the government declaration for Municipality polls under political banners, violent attacks took place between supporters of the ruling party-nominated candidates and the candidates nominated by the main opposition (though not in the parliament currently) BNP and other political parties, and on the independent candidates. The attacks from the ruling party men came in the forms of hampering and sabotaging electoral campaigns, physical attacks and even abduction. The Ministers and Members of Parliament (MPs) from the ruling party were accused of violating the electoral Code of Conduct by participating in the electoral campaign for the AL-nominated candidates. According to media reports, law enforcement agencies apprehended many leaders and activities of the opposition political parties in blanket arrests across the country ahead of the elections. In many of the municipalities, the ruling party men attacked houses of the opposition parties' leaders and activists and forced them to leave their constituency or to keep away from electoral activities. Though many of the polling stations offered those outside an impression that voting was going on in a fair manner, the scene inside was the opposite, with supporters of the ruling party candidates queuing up, taking control of the polling booths, casting

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<sup>46</sup> The daily Prothom Alo, 01/12/2015

<sup>47</sup> Odhikar was also not given permission to observe three City Corporation Elections held in April 2015. On April 12, 2015 Odhikar submitted application to the Election Commission to observe such elections.

fake votes unopposed and bullying general voters into voting for the ruling party candidates. Polls in many Municipalities were marred mostly by acts of capturing polling centres, casting of fake votes and altercations. In many incidents of electoral violence and irregularities, police inaction was quite evident and in many places the law enforcers were reportedly found taking side with supporters of the ruling party candidates. Surprisingly, there were reports of Presiding Officers being engaged in casting fake votes for the ruling party candidates in many occasions. Despite widespread irregularities and violence, the EC showed total indifference to what had happened and claimed that elections were held in peaceful manner.

14. According to information gathered by Odhikar, two people were killed and 657 persons were injured during pre-election violence, while three people were killed 401 were injured on election day. Many incidents of election-related violence occurred, of them, some examples are given below:

### ***Pre-election violence***

15. On December 13, 2015, 10 people including the district unit BNP President and former Member of Parliament, Abdul Hye and BNP nominated candidate Iradat Hossain Manu were injured when local Awami League and Chhatra League activists attacked them while they were campaigning in Munshiganj Municipality.<sup>48</sup> On December 10, Chhatra League leaders and activists attacked and set fire to motorcycles of BNP leaders and activists when they were returning home after a meeting for BNP nominated candidate in Monohardi Municipality under Norshingdi District. Two people were injured in the incident.<sup>49</sup> Moreover on December 20, supporters of the ruling party attacked the campaign programme of BNP nominated Mayor candidate, Nasiruddin Ahmed in Tarabo Municipality, under Rupganj Upazila in Narayanganj District. 15 people were injured in this incident.<sup>50</sup>

### ***Polling day***

16. The Municipality elections were marked with widespread incidents of capturing polling centres by ruling party men, casting fake votes and violence on December 30, 2015. Voting in 50 polling stations of 19 Municipalities were suspended due to clashes and irregularities. 38 of these polling stations in 18 Municipalities and all

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<sup>48</sup> The daily Prothom Alo, 14/12/2015

<sup>49</sup> The daily Jugantor, 12/12/2015

<sup>50</sup> The daily Manabzamin, 21/12/2015

polling stations in Madhabdi Municipality under Narshingdi District were suspended.<sup>51</sup>

17. At around 10:00 am, the Border Guard Bangladesh (BGB) reportedly seized 300 ballots, all stamped with symbols of boat (symbol for the Awami League-nominated candidates), from Kotchandpur Dudhchora Primary School polling centre; and at around 2:00 pm, they also seized another 50 ballots, stamped with the same symbol, from Kotchandpur Akh Centre polling station. The ballots were seized while they were being stuffed into ballot boxes.<sup>52</sup> At around 8.30am, only within half an hour of the start of voting, supporters of the ruling party gathered outside the polling stations at Bouria Government Primary School and Dinbandhu Mustafizur Rahman High School, equipped with sticks, and commenced attacking supporters of BNP, who retaliated. Though polling agents were present at one or two of the polling centres at the beginning of voting, no pollings agents of the BNP-nominated candidate were found in any of the polling centres after 10:00 am. The BNP-nominated candidate, Ajmat Ali Bahadur boycotted the elections at 10:45 am alleging that the Awami League-affiliated outsiders took control of the polling booths and stuffed the boxes full of ballots for the 'Boat'.<sup>53</sup> Voting was suspended in 10 of the 20 polling centres in Choumuhni Municipality, over allegations of capturing polling booths, vote rigging, grabbing of ballot boxes and violence. Electoral information was gathered from 15 polling centres in Shoilkupa Municipality. Polling agents of the BNP-nominated candidate were not found in any of the polling centres. The voters and rival candidates alleged that agents of the ruling party candidate were publicly forcing voters to cast their votes for the AL candidate. Although voting started at 8:00 am, the activists and supporters of the Awami League-nominated candidate took control of several polling centres of Jessore Municipality from around 7:00 am. It was reported that at around 8:00 am, filled ballot boxes were recovered from various polling stations, including the Government M M College, Shebasangha Secondary Girls School, Alia Madrassa and Barandipara Madrassa polling centres. The recovered boxes were allegedly stuffed with ballots on the eve of the election or in the early hours of the election day. The General Secretary of the Jessore District unit of the BNP, Advocate Syed Saberul Haque Sabu alleged that agents of the BNP-nominated candidate were forced to leave the polling stations before voting started.<sup>54</sup> Supporters of the ruling party nominated candidate, Mahabubul Alam Khoka, reportedly captured several polling stations at 7:00 am, one hour before voting commenced; and started stuffing ballot boxes. At around 9:45 am, the Returning Officer suspended voting in three polling centres due to large-scale vote rigging. Police baton-charged and fired blank shots at the Uttar Badurpara Primary School polling centre and the Harla Shamabai Primary School

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<sup>51</sup>The daily Jugantor, 31/12/2015

<sup>52</sup>Report of a human rights defender affiliated with Odhikar from Jhenaidah; amadershomoy.com, 30/12/2015 (online)

<sup>53</sup>Report of a human rights defender affiliated with Odhikar from Chittagong; the daily Manabkantho, 30/12/2015

<sup>54</sup>Report of a human rights defender affiliated with Odhikar from Jessore; the daily Naya Diganta, 31/12/2015; the daily Manabzamin, 31/12/2015

polling centre, as tensions were mounting between supporters of two groups. At around 10:00 am, the polling agents of the Jatiya Party-nominated candidate were allegedly beaten by the ruling party men and forcibly ousted from Char Sekender Shafique Academy and Alexander Pilot Girls School polling centres in Ramgati Municipality. At around 11.30 am, the Jatiya Party-nominated candidate, Azad Uddin Chowdhury, organised a press conference and boycotted the elections over allegations of the ousting of his polling agents from most of the polling centres.<sup>55</sup> Supporters of Awami League-nominated candidate attacked supporters of the BNP at Church of God and Patgram TN High School polling centres in Lalmonirhat Municipality. Seven activists of the BNP-nominated candidate were injured during this attack. Allegations of casting fake votes at the polling stations in Kurigram Government Boys School, Kurigram Government College and Kisholoy Government Primary School were reported against the Kurigram Municipality unit AL Joint General Secretary Saidul Hasan Dulal. At around 3:00 pm, two persons named Manirul Islam (22) and Ranu (23) were arrested by police for casting fake votes at the Kisholoy Government Primary School polling centre.<sup>56</sup> The Returning Officer of the Ulipur Municipality, who is also the Kurigram District Election Officer, Delowar Hossain, suspended voting at Narikelbari Government Primary School and Madinatul Ulum Dakhil Madrassa polling centres due to the snatching away of ballot papers and violence at around 12:00 noon. Five persons were injured as clashes erupted there.<sup>57</sup> Allegations of capturing polling centres and casting fake votes were found at the Suihari Chehelgazi Shikkha Niketon, Government Girls High School and Moharaja School polling centres in Dinajpur Municipality. Two persons were arrested from Moharaja School polling centre while casting fake votes.<sup>58</sup> Between 2:45 pm and 3:00 pm, leaders and activists of Awami League seized control of the Bhugroil Government Primary School polling station, in Nohata Municipality, by forcing the voters to leave the polling centre. Later the situation was brought under control by RAB and BGB. However, they continued intimidating voters outside the polling station.<sup>59</sup> Incidents of gunshots and crude bomb explosions occurred in clashes among supporters of the Awami League, BNP and Independent candidates, over taking control of five polling stations at Sujanagar Municipality under Pabna District. At least 20 persons were injured in these incidents. Furthermore, four persons were arrested in allegations of casting fake votes in Sujanagar.<sup>60</sup> Allegations of rigging and casting fake votes were reported in Chak Kobdaspara Government Primary School

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<sup>55</sup> Report of a human rights defender affiliated with Odhikar from Laxmipur; the daily Manabkantho online, 30/12/2015

<sup>56</sup> Report of a human rights defender affiliated with Odhikar from Kurigram; <http://bangla.jnewsbd.com/?p=details&csl=162226>

<sup>57</sup> Report of a human rights defender affiliated with Odhikar from Kurigram; <http://bangla.jnewsbd.com/?p=details&csl=162226>

<sup>58</sup> Report of a human rights defender affiliated with Odhikar from Dinajpur; the daily Ajker Protiva, 31/12/2015; the Dainik Antor Kantho, 31/12/2015

<sup>59</sup> Report of a human rights defender affiliated with Odhikar from Rajshahi

<sup>60</sup> Report of a human rights defender affiliated with Odhikar from Pabna; <http://www.iugantor.com/old/current-news/2015/12/30/32066>

polling centre in Siranganj Municipality and in Chandangati Girls High School polling centre in Belkuchi Municipality. Many voters noticed that their votes had already been cast when they reached the polling centres. Polling agents of the BNP-nominated candidate were forced to leave these polling stations.<sup>61</sup> At around 3:20 pm, the ruling party supporters forcibly ousted the polling agents of the BNP-nominated candidate from a few polling centres, including Ullapara Adarsha School and Johura Mohiuddin Khan Girls High School and stamped ballot papers with the symbol 'Boat'. Clashes broke out around 10:00 am, between supporters of two rival Councilor candidates, Abdur Razzaque Tarofdar and Ariful Islam Rubel Tarofdar, over casting fake votes and this left six persons wounded from both sides, including Upazila Vice-Chairman and Awami League leader Shahinul Islam Tarofdar Badal, in Bhuapur Municipality under Tangail District. The police fired nine rounds in the air to bring the situation under control. At around 2:00 pm, supporters of the AL-nominated candidate snatched away 44 ballot papers from Bhuapur Pilot High School polling centre.<sup>62</sup> 18 rounds of gunshot were fired in front of the Nazrul Girls High School polling centre in Trishal Municipality and crude bombs exploded thrice in the afternoon that caused widespread panic among voters; and led many voters to leave the polling centre without casting their votes. There were allegations of another incident of crude bomb explosion at Dukhumia Bidyaniketan polling centre and vandalising the BNP office, which left Trishal Sadar Union unit BNP's Organising Secretary, Suruj Ali, Trishal Municipality unit BNP's member Abdul Kader Molla and a Trishal Union unit Juba Dal leader Monir wounded.<sup>63</sup> Seven supporters of the Awami League-nominated candidate were arrested over allegations of casting fake votes, at around 9:00 am at the Tamimul Qur'an Madrassa in Sonargaon Municipality under Narayanganj District. Later at midday, supporters of the AL candidate allegedly started casting fake votes at the Bhattapur Model Primary School polling centre. The Presiding Officer of the polling station suspended voting for 15 minutes due to this indiscipline. At around 1:20 pm, supporters of the ruling party candidate, equipped with iron rods and sticks, attacked the G R Institute polling station to capture it. At that time they exploded four crude bombs outside and one crude bomb inside the polling centre. A supporter of the ruling party candidate, Russell (28), was injured in a crude bomb explosion that happened inside the polling station. The attackers hurled seven crude bombs targeting the police van. At that time Sub-Inspector Abdul Malek and Constable Ziaur Rahman were injured.<sup>64</sup> At around 9:00 am, Awami League activists forced the polling agents of the BNP-nominated candidate, Shahidullah Shahid, to leave Keoa Tamir Uddin Alim Madrassa and Maona Multilateral High School-2 polling centres in Sreepur Municipality under Gazipur District and started casting fake votes after capturing the booths. Examination of the counterfoils (from

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<sup>61</sup>Report of a human rights defender affiliated with Odhikar from Siraganj

<sup>62</sup>Report of a human rights defender affiliated with Odhikar from Tangail; the daily Naya Diganta, 31/12/2015; and the daily Manabzamin, 31/12/2015

<sup>63</sup>Report of a human rights defender affiliated with Odhikar from Mymensingh; the daily Naya Diganta, 31/12/2015

<sup>64</sup>Report of a human rights defender affiliated with Odhikar from Narayanganj; the daily Manabzamin, 31/12/2015

47955 to 48000) of the ballot book at the Maona Multilateral High School-2 polling station showed that 45 ballots had not been signed by the Assistant Presiding Officer, which is mandatory according to the electoral law. Later on, the District Executive Magistrate on duty declared those 45 votes invalid.<sup>65</sup> At around 11:00 am, the son of Awami League-nominated candidate, Mohammad Ali Chowdhury forced the polling agents of the BNP-nominated candidate to leave the polling centres from Rajbari Municipality; and stamped the ballot papers. At around 12:30 pm, armed ruling party men entered the polling centres and snatched away ballot boxes after forcibly ousting the polling agents.<sup>66</sup> Latifur Rahman Raju, Sunamganj District correspondent of the daily Sangbad and Maidul Russell, Sunamganj District correspondent of the Satellite TV Channel 24, came under attack by supporters of the AL-nominated Mayor candidate as they entered the Sunamganj Government Girls College polling centre.<sup>67</sup> At around 9:00 am, at a booth numbered '2' in Mojahar Uddin Degree College polling centre in Kolapara Municipality, an agent of the Awami League-nominated candidate, Mohammad Kamal Bepari, continued grabbing ballot papers from voters and stamping them with the symbol 'Boat' and also intimidated the Assistant Presiding Officer of this polling booth, G M Nazrul Islam. During voting, all members of law enforcement agencies who were stationed in that polling centre left the station; and the polling agents of different Mayor and Councilor candidates were forced out of the polling centre by supporters of the Awami League. At around 9:30 am, supporters of the ruling party candidate, Abdul Berek Molla entered Panjupara Government Primary School polling centre in Kuakata Municipality and tried to snatch away ballot papers and stuff them into ballot boxes. Clashes took place when supporters of the BNP-nominated candidate protested. Approximately 20 were people injured.<sup>68</sup> At around 10:30 am, a violent altercation occurred between supporters of the rival Mayor candidates of BNP and Awami League, in front of the polling station at the Bazaar Government Primary School. Supporters of the BNP candidate tried to stop supporters of the AL candidate from capturing booths in the polling centre in Moulvibazar Municipality. Voting was suspended in this polling centre due to the violence. At that time journalists from various electronic and print media, including Moulvibazar District correspondent of SA-TV, Panna Dutta; District correspondent of Shomoy TV, Oliur Rahman; staff reporter of the daily Kaler Kantho, Abdul Hamid Mahbub; and the district correspondent of online news portal Banglanews, Mahbubur Rahman Rasel were assaulted by the ruling party men.<sup>69</sup> A large number of outsiders, who were not voters of the Munshiganj Municipality, reportedly gathered in all polling stations of the Munshiganj Municipality and cast fake votes for the ruling party-nominated Mayor candidate Foysal Ahmed Biplob. After 9:00 am, in all polling

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<sup>65</sup> Report of a human rights defender affiliated with Odhikar from Gazipur; the daily Prothom Alo, 31/12/2015

<sup>66</sup> Report of a human rights defender affiliated with Odhikar from Rajbari

<sup>67</sup> Report of a human rights defender affiliated with Odhikar from Moulvibazar; the daily Jugantor, 31/12/2015

<sup>68</sup> Ibid

<sup>69</sup> Report of a human rights defender affiliated with Odhikar from Moulvibazar;  
<http://www.mzamin.com/details.php?mzamin=MTA4NTMz&s=Ng==>



stations, voters were forced to vote for the ruling party candidate. A human rights defender associated with Odhikar (who is also the District correspondent of the daily Shokaler Khabor), Arafatuzzaman, was hit in the head with a pistol and severely wounded while collecting election-related information in the Purba Shilmandi Government Primary School polling centre. At around 11:00 am, supporters of Awami League-nominated Mayor candidate Foysal Ahmed Biplob were locked in altercations, including exchange of gunfire, with the supporters of the Councilor candidate, Makbul Hossain in Hatlakshmiganj and Idrakpur polling stations. At least 10 persons were injured during the clash.<sup>70</sup>

18. Election based crimes such as rigging and snatching away of ballot boxes, started during the autocratic rule of Lt. Gen. Hussain Muhammad Ershad; and most of these offences were abolished through the people's uprising in December 1990, after the downfall of Ershad. Later in 2011, the Awami League government abolished the Constitutional provision of holding free, fair and inclusive elections under a 'caretaker' government system<sup>71</sup> through an undemocratic Fifteenth Amendment<sup>72</sup> to the Constitution. This has led the country towards a fragile and volatile situation; and as a result of the farcical and controversial Parliamentary elections held on January 5, 2014 and that extensive irregularities and violence that occurred during Upazila Parishad Elections in 2014; City Corporation Elections in 2015; and during Municipality Elections held on December 30, 2015. Odhikar believes that ensuring free, fair and impartial elections is the constitutional obligation of the Election Commission. However, the Election Commission has compromised its constitutional commitment by being subservient to the ruling party. Odhikar also believes that it is very important to form an independent and strong Election Commission in Bangladesh; which would conduct a free and fair election within a short span of time, under a neutral interim government.

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<sup>70</sup>Report of a human rights defender affiliated with Odhikar from Munshiganj; the daily Naya Diganta, 31/12/2015

<sup>71</sup> The caretaker government system was abolished by the Awami League led government through the 15<sup>th</sup> Amendment to the Constitution when they were in power from 2009-2013.

<sup>72</sup> The present Awami League-led government passed the 15<sup>th</sup> Amendment to the Constitution on June 30, 2011, ignoring the protest from the main opposition political parties, civil society and without taking any mandate of the people.

## C. Act of Impunity

### *Extrajudicial killings*

19. Extrajudicial killings continued in 2015 despite protests from human rights organisations, civil society, opposition political parties and even some members of the ruling party<sup>73</sup> and deaths in 2015 exceeded the number of people extrajudicially killed in 2014. Incidents of such killings were claimed to be the results of ‘gunfight’ or ‘crossfire’<sup>74</sup> by RAB and police, however, the family members of the victims alleged that their relatives were taken away and shot dead by members of law enforcement agencies. The impunity of law enforcement agencies, in terms of extrajudicial killings, is all too common, despite repeated demands to bring the responsible parties to justice. Generally, the victims of extrajudicial killings are the leaders and activists of opposition political parties and or alleged criminals. However, in August 2015, some leaders and activists belonging to the student and youth wings of the ruling party became victims of extrajudicial killings. The incidents of extrajudicial killings were noted even by the highest Court of the land and it issued several Rules on the matter.
20. The General Secretary of Khilgaon Thana<sup>75</sup> unit Chhatra Dal, Nuruzzaman Jony was arrested by Detective Branch (DB) of Police on January 19, 2015 from in front of the Dhaka Central Jail gate and on January 20, 2015, he was shot dead by DB Police near the Jorapukur playground at Khilgaon Tilpapara.<sup>76</sup> On February 2, 2015 a team from Pallabi Police Station, led by Sub Inspector (SI) Touhidul Islam, picked up Nahid, nephew of former Secretary General of BNP, late Khandker Delwar Hossain, from in front of Proshika Bhaban at Mirpur-6 in Dhaka. Police informed Nahid’s father on his cell phone that Nahid would be released in exchange of five hundred thousand taka (6422.94 Dollar)<sup>77</sup>. Nahid was shot dead as his family could not give police the money they demanded. Nahid’s father GM Sayeed later identified Nahid’s body at the morgue.<sup>78</sup> On February 22, 2015 at around 10:00 pm, three youths, Sumon Robi Das,

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<sup>73</sup> In August 2015, at a Parliament session the ruling party member, Fazle Noor Taposh mentioned that a few of their activists were extrajudicially killed.

<sup>74</sup> On November 15, 2009 a Bench of the High Court Division of the Supreme Court of Bangladesh, issued a *suo moto* Rule on the government regarding the deaths of two brothers, Lutfar Khalashi and Khairul Khalashi in ‘crossfire’ in Madaripur. In the Rule the Court asked the government to show why the killings of the two brothers in ‘crossfire’ would not be declared illegal. On December 14, 2009 the State (Attorney General) appealed for time during the hearing to the same High Court Division Bench. The Court ordered that the practice of ‘cross fire’ be stopped until the hearing of the case is completed.

<sup>75</sup> In the Dhaka Metropolitan area.

<sup>76</sup> The daily Prothom Alo, 21/01/2015

<sup>77</sup> 1 U.S Dollar = 77.85 BDT; <http://www.xe.com/currencyconverter/convert/?Amount=1&From=USD&To=BDT>; March 1, 2015.

<sup>78</sup> The daily Prothom Alo, 09/02/2015

Robin Hossain and Jewel, were shot dead in Baishbari area at Kazipara in Mirpur, Dhaka.<sup>79</sup> The Officer-in-Charge of Mirpur Police Station, Salauddin Khan said that local people had caught them with three crude bombs and four liters of petrol from Shewrapara area. They were taken to Baishbari area under Mirpur Police Station, where angry people had beaten and shot them. Meanwhile inhabitants living near the place of occurrence informed journalists that there had been no incident of public lynching in the night of February 22. At around 9:45 pm, 10-12 strangers went through a dark lane with those three men. After a few moments, several rounds of gun shots were heard. About an hour later the men left the spot, leaving the bodies behind. Later at midnight, police returned and picked up the bodies.<sup>80</sup> On March 9, 2015 Nazmul Huda Lablu, President of Shramik Kalyan Federation<sup>81</sup> and ex-president of Islami Chhatra Shibir<sup>82</sup> was killed in an altercation between police at Mithapukur in Rangpur. Nazmul Huda Lablu's father Nurunnabi Shah, said that "police staged a drama of 'gunfight' after killing my son".<sup>83</sup> On April 21, 2015 at around 2:30 am, a youth named Milon Ali (32), a resident of Laxmidhorodia village under Mirpur Upazila in Kushtia, was killed in 'gunfight' with police in a field adjacent to Shunipara on the Kushtia-Meherpur Road.<sup>84</sup> On August 18, 2015 two present and former Chhatra League leaders Arzu Mia (28) and Mehedi Hassan (34) were killed in separate 'gunfights' in Dhaka and Magura. The family members of the deceased men alleged that both were killed after being arrested from separate places and the police had staged a drama of 'gunfight'.<sup>85</sup> A ruling party Member of Parliament, Fazole Noor Taposh told the media that RAB killed Arzu after he was arrested; and that a 'Gunfight' claimed by RAB was a so-called common statement.<sup>86</sup> On September 18, villagers brought out a procession demanding exemplary punishment of the perpetrators and made a blockade on the Tangail-Mynem Singh highway. They were protesting the incident of an adolescent who was beaten and his mother sexually harassed on September 15, 2015 in Sauria village under Kalihati Upazila in Tangail District. Police put up a barrier when angry villagers took to the highway in protest. At that time altercations occurred between the protestors and police. The police baton charged and also opened fire on the protestors. Farooq Hossain (30) of Kushtia Village under Kalihati Upazila; Shahim Hossain (32) and Shyamol Chandra Das of Salenka Village under Ghatail Upazila were shot dead.<sup>87</sup> Later another wounded man

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<sup>79</sup> The daily Prothom Alo, 24/02/2015

<sup>80</sup> The daily Prothom Alo, 24-25/02/2015

<sup>81</sup> Labour Welfare Federation

<sup>82</sup> Student wing of Jamaat-e-Islami

<sup>83</sup> The daily Naya Diganta, 10/03/2015

<sup>84</sup> Report sent by human right defender associated with Odhikar from Sirajganj.

<sup>85</sup> The daily Prothom Alo, 19/08/2015

<sup>86</sup> The daily Prothom Alo, 20/08/2015

<sup>87</sup> The daily Prothom Alo, 19/09/2015

named Rubel succumbed to his wounds at Dhaka Medical College Hospital.<sup>88</sup> On October 9, 2015 the body of Enamul Kabir (50), a resident of Ichhali under Jessore Sadar Upazila, was found on the railway track in Barobazar Phulbari gate under Kaliganj Upazila in Jhenaidah District. His wife and daughter identified the body in the Jessore General Hospital morgue. Enamul Kabir's wife, Sheuly alleged that police killed her husband after arresting him and then left the body on the railway track.<sup>89</sup>

21. According to information gathered by Odhikar, a reported total of 185 persons were extra judicially killed in 2015. The types of deaths and the identities of the deceased persons are stated below:

### ***Types of extrajudicial killings***

#### ***Crossfire/encounter/gun fight:***

22. Among the 185 persons extra judicially killed, 148 were killed in alleged 'crossfire/encounters/gun fights'. Of them, 97 were killed by the police, 48 by the RAB, two were killed by the BGB and one by the Joint Forces.

#### ***Tortured to death:***

23. Torture is widespread and endemic in Bangladesh. There are numerous allegations of torture and deaths due to torture in custody, against the law enforcement agencies. However, most of these incidents are not reported due to lack of information, as victims do not speak out in fear of further torture by law enforcers. Thus, it is not possible to assess the actual number of victims of torture. Between January to December of 2015, seven persons were reported tortured to death. Among them, five by the police and two by the RAB.

#### ***Shot to death:***

24. Among the deceased, 22 persons were shot and killed during this period. Among them, 19 were killed by the police, two by the BGB and one by the Armed Police Battalion.

#### ***Beaten to death:***

25. From January to December 2015, three persons were reported beaten to death. Among the deceased, two were beaten to death by the police and one by RAB.

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<sup>88</sup> The daily Jugantor, 21/09/2015

<sup>89</sup> Report sent by Human Rights Defender associated with Odhikar from Jessore.

### ***Strangled to death:***

26. Among the deceased, one was allegedly strangled to death by police.

### ***Other deaths:***

27. Two persons were killed in a road accident, as claimed by police. The victim families said that the men were picked up by police; and they were under police custody till their death. One person was allegedly stabbed to death by BGB and one person was killed in a grenade explosion while he was under police custody.

### ***Identities of the deceased:***

28. Of the 185 persons who were killed extra-judicially, 20 were leaders-activists of BNP and its affiliated organisations; 15 were activists of Jamaat-Shibir and its affiliated organisations; four were leaders-activists of Awami League; one was a member of Sarbohara Party; seven were members of the Purba Banglar Communist Party; two were members of Jamat-ul Muzahidin Bangladesh (JMB); one was a supporter of a Upazila (local government) chairman candidate; seven were youths; three were drivers; two were shopkeepers; two were under trial prisoners; one was an office employee; one was an employee of a mobile servicing centre; one was a factory worker; one was a fisherman; one was a tailor; one was an owner of a vehicle garage; one was a security guard of a private firm; one was an accused in a murder case; five were alleged human traffickers; one was a rice trader; one was a barber; one was a HSC examinee; one was an Assistant Director of the University Grant Commission; one was a herbal doctor; and 103 were alleged criminals.

29. Odhikar demands the government investigate and take action against the members of law enforcement agencies who were involved in such killings.

### ***Torture, inhuman and degrading treatment in custody***

30. Torture in custody of law enforcement agencies during remand is not only a criminal offence but also a serious violation of human rights. Article 35(5) of the Constitution says that “No one shall be subjected to torture, inhuman or degrading punishment or treatment”. Odhikar has, for the last 21 years, documented and carried out fact finding missions on incidents of torture, highlighting the fact that this practice must stop. On October 24, 2013 Torture and Custodial Death (Prevention) Act 2013 was passed in Parliament, but incidents of torture and death in the custody of law enforcement

agencies continued in 2015.<sup>90</sup> Between January and March 2015, media professionals and political activists were arrested and taken into remand during the violent political situation. Among them, the Acting Secretary General of BNP, Mirza Fakhru Islam Alamgir; Joint Secretary General of BNP, Ruhul Kabir Rizvi; and Private TV Owners' Association – ATCO President Mosaddek Ali Falu were taken into remand under different cases in different intervals. Furthermore, Ekushey TV Chairman Abdus Salam; and the Convener of Nagorik Oikya, Mahmudur Rahman Manna were taken into remand.<sup>91</sup> On March 7, Manna was produced before the Court after a 10-day remand where he told the Magistrate that he was worried about the security of his life and that he was tortured in police custody during interrogation.<sup>92</sup> However, the Court granted police a 10-day remand again in another case against him.<sup>93</sup>

31. On January 16, 2015 Sechchasebak Dal<sup>94</sup> leader, Mohan Bepai Molla died in Dhaka Medical College Hospital during treatment, under the supervision of the jail authority. The brother-in-law of the deceased, Mohammad Alamin claimed that on January 12, 2015 police of Shah Ali Police Station arrested Mohan under a criminal case and beat him in the police van. Mohan was tortured the whole night in the police station and later succumbed to his injuries at the hospital.<sup>95</sup> Allegations were found against police that Shapla Khatun (23), a college student and residence of Mathail Chapar Village under Kazipur Upazila in Sirajganj, was tortured for six days after being detained under suspicion in a murder case. The father of the accused Sobahan Hazi and her lawyer Selim Reza, informed Odhikar that on January 21, 2015 police of Kazipur Police Station arrested Shapla Khatun based on a telephone conversation with an accused person of a murder case. She was tortured in the police station. Moreover, police took one hundred thousand taka bribe from her family.<sup>96</sup> On March 17, 2015 Bauphal Upazila correspondent of the daily Prothom Alo, Mizanur Rahman was arrested over an altercation with Sub Inspector (SI) of Kalaiya Police Outpost, Mohammad Halim Khan at the Langra Munshir Pole area in Kalaiya under Bauphal Upazila in Patuakhali District. Mizanur was handcuffed and severely beaten by police after being taken into the room of the Officer-in-Charge, Noresh Chandra Karmokar. He was beaten until he became unconscious.<sup>97</sup> At present Mizanur Rahman is out on bail. On June 9, 2015 at around 10.00 pm five members of Rajshahi Metropolitan Detective Branch (DB) of Police picked up Al Amin Opu (13), a student of class IX

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<sup>90</sup> The daily Prothom Alo, 05/03/2015

<sup>91</sup> Information gathered by Odhikar

<sup>92</sup> The daily New Age, 11/03/2015

<sup>93</sup> The daily Manabzamin, 11/03/2015

<sup>94</sup> Volunteer wing of the BNP

<sup>95</sup> The daily Jugantor, 17/01/2015

<sup>96</sup> Report sent by human right defender associated with Odhikar from Sirajganj.

<sup>97</sup> The daily Prothom Alo, 21/03/2015

of Horipur School, from the road, after pointing guns at his chest and then tortured him. Opu was also blindfolded and taken in a room by Sub Inspector Azhar along with two constables. There they gave him electric shocks on his penis and tortured him in various other ways. After getting Taka one hundred and forty thousand from his family, they took Opu's signature on a blank sheet of paper and released him.<sup>98</sup> On July 5, 2015 an under-trial prisoner, Mosleuddin (60), the General Secretary of Motijheel Thana unit BNP and former Ward Commissioner, died in Dhaka Medical College Hospital while under treatment. The elder brother of the deceased, Hazi Masud said that on June 1, 2015 a group of plain clothes police arrested Mosleuddin when he emerged from Kamalapur Mosque after the evening prayer. He alleged that Mosleuddin became ill due to torture in remand; and died as a result.<sup>99</sup> On August 8, 2015 a BNP activist named Toiyab Ali Mintu (28) was allegedly shot in his leg after being arrested and severely beaten by police at Monirampur Police Station in Jessore. While under treatment in hospital, Mintu said that police started beating him in the vehicle on way to the police station. Police broke three of his fingers at the police station. Later he was shot in his left leg and taken to the hospital.<sup>100</sup> On August 12, 2015 at night, a man named Kobbad Ali (42) of Datbhanga Village under Roumari Upazila in Kurigram District, was allegedly tortured several times in the room of the Officer-in-Charge and later in the lock-up of Roumari Police Station. Kobbad Ali had a financial dispute with Al Farooq of the same village. The family of the torture victim alleged that Al Farooq had bribed the Officer-in-Charge of Roumari Police Station, Sohrab Hossain, to torture Kobbad Ali.<sup>101</sup>

32. Torture of any kind, whether physical or psychological, during remand or interrogation is a serious violation of human rights. Torture in custody continues in Bangladesh even after the enactment of the Torture and Custodial Death (Prevention) Act of 2013.

### ***Shooting in the legs after arrest***

33. According to information gathered by Odhikar, from January to December 2015, 35 persons were shot in the leg by the law enforcement agencies after their arrest.
34. Apart from extrajudicial executions and incidents of torture, shooting in the legs of detainees/accused persons has been highlighted as a new trend of police brutality since 2013. Several people have already become disabled due to such shooting by law

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<sup>98</sup> The daily Jugantor, 26/06/2015

<sup>99</sup> The daily Naya Diganta, 06/07/2015

<sup>100</sup> The daily Manabzamin, 10/08/2015

<sup>101</sup> The daily Manabzamin, 15/08/2015

enforcement agencies in the last few years. It was learnt that such incidents widely took place at the time of resisting the protests of the BNP-led 20-Party Alliance. The leaders and activists of the opposition political parties and ordinary people are the victims of such atrocities.

35. On February 4, 2015 Nayan Bachhar, a student of Philosophy at Jagannath University in Dhaka, boarded a bus from in front of Victoria Park in old Dhaka to go to Mir Hazirbagh. His bus was set on fire and Nayan got down with other passengers. Police arrested him and asked whether he was involved with Jammatt-Shibir. Nayan gave the police his name and said he was Hindu<sup>102</sup>. The policemen paid no heed and shot him in the leg. Nayan was admitted to the National Institute of Traumatology and Orthopaedic Rehabilitation with severe injuries.<sup>103</sup> On March 1, 2015 police arrested Main Uddin (32) and Arif Hossain from Kamolnagar Upazila under Laxmipur District. Later police took them to the Chor Lawrence Berargoje area on the Ramgati-Laxmipur Highway under Kamolnagar and they were shot in their legs at around 1:00 am. The families state that police told them that the men were shot in ‘gunfight’. On March 11, Arif succumbed to his injuries in the National Institute of Traumatology Orthopaedic and Rehabilitation in Dhaka while under treatment.<sup>104</sup> On March 3, 2015 Mohammad Noman came to Sadarghat in Dhaka to do some shopping. At that time some crude bombs exploded near the Victoria Park. Police caught Noman when he ran to find a safe place. Later police beat him and shot him in his left leg.<sup>105</sup> On May 24, 2015 Sabbir Hossain Sohan (17) a Higher Secondary Certificate examinee of Keshobpur Degree College in Jessore, was detained from Keshobpur Bazaar and allegedly beaten and shot in his right leg by the police of Monirampur Police Station.<sup>106</sup> On September 8, 2015 a farmer named Mansur Ali Sheikh (45) was allegedly shot in the leg by police after his arrest in Shyamnagar Upazila under Satkhira District. His wife, Farida Khatun alleged that her husband was arrested by police of Shyamnagar Police Station in the afternoon of September 7, from a local bus terminal.<sup>107</sup> On October 8, 2015 a Chhatra Dal<sup>108</sup> leader, Rabiul Islam Nayan (26) was allegedly shot in the leg by police in a residential hotel at Moghbazar in Dhaka. Rabiul told journalists while he was under police custody that he was eating lunch in a restaurant at Moghbazar. At that time, police arrested him and took him to Boikalik Residential Hotel nearby and shot him in his left knee.<sup>109</sup>

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<sup>102</sup> Jamaat-e-Islami and its student wing Islami Chhatra Shibir are Islamist political organisations.

<sup>103</sup> The daily Manabzamin, 18/02/2015

<sup>104</sup> The daily Jugantor, 12/03/2015

<sup>105</sup> The daily Manabzamin, 15/03/2015

<sup>106</sup> The daily Jugantor 26/05/2015

<sup>107</sup> The Daily Star, 09/09/2015

<sup>108</sup> Student wing of Bangladesh Nationalist Party (BNP)

<sup>109</sup> The daily Prothom Alo, 09/10/2015



36. This incident proves again that members of the law enforcement agencies are enjoying impunity and are being used to create fear. Sadly, this is a very common practice pursued during all regimes, although the violations seem to be more intense in the current situation. Odhikar urges the government to take legal action against the responsible persons after an unbiased investigation of all such incidents.

### ***Death in Jail***

37. According to information gathered by Odhikar, from January to December 2015, 51 persons reportedly died in jail. Among them 50 persons died due to ‘illnesses’, and one person committed suicide.

38. It is alleged that due to lack of treatment facilities and negligence by the prison authorities, many prisoners became ill, which caused their death. On May 3, 2015 a convicted prisoner of the BDR Mutiny<sup>110</sup> and former MP of BNP, Nasiruddin Pintu died in Rajshahi Medical College Hospital.<sup>111</sup> His family alleged that Pintu was unwell and was killed intentionally by being deprived of proper treatment. The Head of the Cardiology Department of Rajshahi Medical College Hospital, Dr. Rais Uddin stated that on May 2, 2015 he went to see Pintu at Rajshahi Central Jail,<sup>112</sup> however, the Superintendent of Prison, Shafiqul Islam, did not give him permission to treat Pintu.<sup>113</sup>

39. Odhikar demands adequate and proper treatment for all inmates in every jail. Deprivation of treatment to inmates is a violation of their human rights.

### ***Allegations of enforced disappearance against law enforcement agencies***

40. According to information gathered by Odhikar, from January to December, 2015, 65 persons have been disappeared after being picked up allegedly by the men claiming to be members of law enforcement agencies. Among them, 11 were found dead and 46

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<sup>110</sup> On 25-26 February 2009, a mutiny was carried out by junior officers and members of the Bangladesh Rifles (BDR)- now known as the Border Guard Bangladesh (BGB)- at the BDR Headquarters at Pilkhana in Dhaka. The mutiny resulted in the deaths of 78 BDR officers, and spread to BDR camps across the country. Many lower ranking BDR personnel were arrested and tried in Special Courts.

<sup>111</sup> The daily Jugantor, 04/05/2015

<sup>112</sup> On April 23, 2015 the Directorate of Prison issued a letter to Rajshahi Medical College Hospital regarding treatment of Nasir Uddin Pintu.

<sup>113</sup> Report sent by human right defender associated with Odhikar from Rajshahi

were later produced before the Court or freed after disappearance and the whereabouts of eight persons are still unknown.<sup>114</sup>

41. Enforced disappearance is a serious violation of fundamental human rights. It is imposed against people who have been labelled as ‘enemies of the State’, on the pretext of maintaining peace and order and protecting ‘national security’. The families of the victims of enforced disappearances claim that the members of law enforcement agencies picked up their relatives; and since then the victims have disappeared or their bodies are later found. In some cases, law enforcement agencies deny the arrest; but days later, the arrested persons are produced in public or handed over to a police station and later appear in Court. In the past, incidents of enforced disappearance were denied by responsible persons of the government and the higher officials of the accused law enforcement agencies. Regarding the allegations made by the families of 19 persons, who disappeared from November 28 to December 13, 2013, on December 9, 2015 the Home Minister Asaduzzaman Khan told journalists that “they are hiding”. However, incidents of enforced disappearance have already been proved after investigations by the Ministry of Home Affairs<sup>115</sup>; and no action was taken against any member of the law enforcement agencies till 2015, despite having evidence after investigations. Meanwhile on September 18, 2015 Ariel Dulitzky, Chair of the UN Working Group on Enforced or Involuntary Disappearances (WGEID) urged all the Heads of State to prioritize on the searching for victims of enforced disappearance. On September 14, 2015, the Working Group’s 107<sup>th</sup> Session commenced in Geneva. During the session, the state of enforced disappearance and various cases of enforced disappearance in Bangladesh were also discussed.<sup>116</sup> On August 30, 2015, Odhikar, in collaboration with the families of the disappeared and some regional and international human rights organisations wanted to commemorate the International Day of the Victims of Enforced Disappearances, to remember all those who have been disappeared and to show solidarity and support to their families. The present committee of the government-supported National Press Club at the last moment abruptly cancelled its permission. Such last minute cancellation precluded Odhikar to host the programme at any other premise.

42. On February 12, 2015 at around 1:00 am, Nur Alam, General Secretary of Pallabi Thana unit Jubo Dal<sup>117</sup>, was taken away from his elder brother’s house in Gazipur by approximately 10 plain clothed and armed men, claiming to be members of a law

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<sup>114</sup> Odhikar only documents allegation of enforced disappearance where the family members or witnesses claim that the victim was taken away by people in law enforcement uniform or by those who said they were from law enforcement agencies.

<sup>115</sup> The daily Prothom Alo, 12/08/2012 <http://archive.prothom-alo.com/detail/date/2012-08-12/news/281302>

<sup>116</sup> The daily Prothom Alo, 19/09/2015

<sup>117</sup> Youth wing of Bangladesh Nationalist Party (BNP)

enforcement agency. Since then, his whereabouts remain unknown.<sup>118</sup> Joint Secretary General of BNP and former State Minister Salah Uddin Ahmed was allegedly picked up by members of the law enforcement agency in the evening of March 10, 2015 from House No. 49/B, Road 13/B, Sector-3 at Uttara, Dhaka. Salah Uddin's wife Hasina Ahmed made this allegation.<sup>119</sup> In the meanwhile, Salah Uddin Ahmed's personal secretary Osman Gani and his driver Shafique and Khokan were picked up by men in plain clothes, claiming to be from law enforcement, before his disappearance and later handed over to the police station.<sup>120</sup> 63 days after his disappearance on May 11, 2015 Salah Uddin Ahmed was left in a street in front of the golf club in Shillong, the Capital of Meghalaya in India, by some unknown men. Afterwards Shilong police arrested him.<sup>121</sup> A case was filed against Salah Uddin Ahmed under the Foreigners Act, 1946 of India as he had entered India without a passport.<sup>122</sup> Currently Salah Uddin is on conditional bail. As per the condition he has to live in Shillong and also present himself at the police station once a week.<sup>123</sup> On March 17, 2015 Khedpara Union Parishad member under Monirampur Upazila in Jessore, Mezbah Uddin Chantu (40) was arrested from his friend's house at Moghbazar in Dhaka. Police recovered Chantu's body two days later, on March 19 from a railway track in Manikdi area in Jessore.<sup>124</sup> On April 3, 2015 a Jubo Dal leader Toiyabur Rahman Turan (32) was picked up in a white microbus by men claiming to be members of law enforcement agencies, from in front of his welding shop at the Arappur area in Jhenaidah. On April 10, his body, bearing gunshot wounds, was found beside the Jhenaidah-Magura Highway in Shachani village under Magura district.<sup>125</sup> On August 18, 2015 police claimed that a British citizen named Touhidur Rahman was arrested under allegations of being involved in the killings of bloggers. His family members alleged that on May 28, 2015 the law enforcement officers arrested Touhidur Rahman and took him away.<sup>126</sup> On November 9, 2015 a man named Habibur Rahman Sumon (30) was killed in 'gunfight' with the Rapid Action Battalion (RAB) during an operation at the Sattola slum in the Mohakhali area of Dhaka. This news was made public through a press conference from RAB Headquarters. Habibur's wife Rokshana Akhter said that on October 5, 2015 a group of men claiming to be members of the intelligence agency picked up her husband in a gray microbus from the Board Bazaar

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<sup>118</sup> The daily Manabzamin, 26/02/2015

<sup>119</sup> Salah Uddin Ahmed was sending updates and press releases everyday as most of the top/senior leaders of BNP are in jail.

<sup>120</sup> Information gathered by Odhikar

<sup>121</sup> The daily Prothom Alo 19/05/2015.

<sup>122</sup> The daily Prothom Alo, 27/05/2015.

<sup>123</sup> The daily Naya Diganta, 24/06/2015

<sup>124</sup> Information gathered by Odhikar

<sup>125</sup> Information gathered by Odhikar

<sup>126</sup> The daily Manabzamin, 23/08/2015

area of Tongi in Gazipur and he could not be traced.<sup>127</sup> On November 20, 2015 Mozaffar Hossain, President of Rangpur Metropolitan unit BNP and the Vice-President of the Central Committee of Jatiyabadi Muktijoddha Dal, was picked up by a group of men in plainclothes, claiming to be members of RAB, from his house in Rangpur. On November 24, 2015, RAB-13 claimed that Mozaffar Hossain was arrested from Mohendra Nagar area of Lalmonirhat district.<sup>128</sup> Later he was produced before the Court after showing him as arrested under Section 54<sup>129</sup> of the Cr. P.C.

43. Odhikar believes that every incident of enforced disappearance needs to be investigated in an independent and fair manner. Odhikar demands that the government take immediate measures to recover and return the disappeared persons to their families and take action against the perpetrators.

### ***Lack of accountability of law enforcement agencies and its unlawful acts***

44. On February 24, 2015 members of law enforcement agencies conducted an operation at Dewanji Bari area of Baralia village in Dattapara union under Lakkipur Sadar Upazila. During the operation, they picked up 60-year old Shamsunnahar, the mother of Dattapara Union Ward unit Jubo Dal<sup>130</sup> President, Sumon, after being unable to arrest him; and took her to Chandraganj Police Station. She was detained in the police station for five days.<sup>131</sup> On March 4, 2015 about 18 houses, including houses belonging to Shibganj Upazila Chairman Professor Keramat Ali and Vice-Chairman Shahidul Huq Haideri, were allegedly vandalized during operations by Joint Forces in Shibganj and Kansat under Chapainabganj district. Victims Ziaul Huq and Sadek Ali said that during a search operation members of the Joint Forces vandalized a fridge, TV, fans and furniture and took away gold ornaments and cash.<sup>132</sup> Allegations of vandalization and lootings were made during operations carried out by the joint forces at midnight on April 7, 2015 in Khansama Upazila under Dinajpur and in Bholahat under Chapainabganj. The members of the joint forces entered the house of a farmer named Obaidur Rahman during the operations in Makorshapara area under Khansama Upazila in Dinajpur district; and assaulted the women, as there were no men in the house. Joint forces also vandalised furniture and household goods. Women in Tiloki, Suranpur and Bireswarpur villages alleged that the members of the

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<sup>127</sup> The daily Prothom Alo, 11/11/2015

<sup>128</sup> Information gathered by Odhikar

<sup>129</sup> Section 54 of the Code of Criminal Procedure allows Police to assert without a warrant if the police have reasonable suspicion that a person has committed a crime. It is a widely misused section of the Law.

<sup>130</sup> Youth wing of BNP

<sup>131</sup> The daily Manabzamin. 01/03/2015

<sup>132</sup> The daily Naya Diganta, 05/03/2015

joint forces looted cash and ornaments; and vandalised furniture after entering 20-25 houses in Bholahat upazila in Chapainabganj.<sup>133</sup> On September 9, 2015 a 13-year old street child called Rajib was released after 10 days of detention at Sutrapur Police Station. A police source said that a youth named Sumon of Kamalapur area sent Rajib to collect donations from a businessman at Raisaheb Bazar Mor in old Dhaka 10 days ago. That businessman apprehended the child and informed the Officer-in-Charge (OC) of Sutrapur Police Station. The OC, Khalilur Rahman Patwary sent police to arrest the child and he was put in the lock-up.<sup>134</sup> On September 16, 2015 at around 8:00 pm, a team of police led by Sub-Inspector Amir Hossain, of Moheshpur Police Station raided that house to arrest Raju Ahmed, a resident of Moheshpur, under Jhenaidah District. Sensing the presence of police Raju however, fled the house. Police arrested his wife and 11-month old son instead. There was no female police during the operation. They were kept in the police station all night.<sup>135</sup>

45. Odhikar expresses grave concern over the unlawful acts and impunity enjoyed by the law enforcement agencies. Odhikar demands the members of law enforcement agencies who are involved in such unlawful activities be immediately brought to justice.

### ***Cabinet approves of the draft Public Service Act 2015***

46. On July 13, 2015 the Cabinet approved of the draft of the "Sarkari Karmachari Ain, 2015" (Public Service Act 2015), incorporating the provision for taking prior government sanction for arresting a public servant before acceptance of the charge sheet by the court, in a criminal case. As per section 197<sup>136</sup> of the Code of Criminal Procedure, taking permission from the government is mentioned only before submitting a charge sheet against government employees. Now permission is needed to arrest government employees prior to approval of the charge sheet.<sup>137</sup>
47. The government employees will get special benefits as a result of this new law; and will get more impunity which may further encourage human rights violations. The discriminatory provisions kept in the proposed Public Service Act 2015 is contrary to Article 27 of the Constitution of Bangladesh, which states that "All citizens are equal before law and are entitled to equal protection of law".

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<sup>133</sup> The daily Naya Diganta, 09/04/2015

<sup>134</sup> The daily Prothom Alo, 09/09/2015

<sup>135</sup> The daily Prothom Alo, 18/09/2015

<sup>136</sup> When any person who is a Judge within the meaning of section 19 of the Penal Code, or when any Magistrate, or when any public servant who is not removable from his office save by or with the sanction of the Government, is accused of any offence alleged to have been committed by him while acting or purporting to act in the discharge of his official duty, no Court shall take cognizance of such offence except with the previous sanction of the Government.

<sup>137</sup> The daily Prothom Alo, 14/07/2015

## D. Mass Arrests and Prisons Conditions

### *Conditions in prisons due to mass arrest (January – March 2015)*

48. Law enforcement agencies conducted arrest operations against the leaders and activists of the 20-Party Alliance across the country, even before January 5, 2015.<sup>138</sup> Police arrested thousands of leaders and activists belonging to the 20-Party Alliance, including BNP Acting Secretary General Mirza Fakhrul Islam Alamgir and some other central leaders, for allegedly being involved in criminal activities.<sup>139</sup> Allegations were also made of police harassing ordinary people after arresting them. As a result of these mass arrests, due to overcrowding the prisons of Bangladesh faced tremendous pressure. The prison authority has also struggled a lot to maintain such huge numbers of inmates. Scarcity of food, medicine, water and sanitation were reported. 400 inmates were kept in a room meant for 100 only. Severe environmental and health disasters have been caused due to toilets becoming unusable. Most of the inmates had to pass sleepless nights. In many jails, inmates were being kept in tents.<sup>140</sup> The total official capacity of all sixty-eight prisons in the country is 34,460. However, as of November 15, 2015 there were a total of 78,822 inmates in the jails.<sup>141</sup> According to sources, this has resulted in insufficient space for sleeping and a scarcity of food, medicine, water and sanitation.<sup>142</sup> Furthermore, those who are released on bail were arrested again on other charges, from the jail gate.<sup>143</sup> About 1200 political activists were sentenced through mobile court after the blockade and hartals were initiated.<sup>144</sup> For instance, on January 17, 2015 Mizanur Rahman, a resident of Shibganj Upazila in Bogra District, was supposed to leave for Oman as a migrant worker. He went to Gulistan in Dhaka City on January 14, 2015 to buy some clothes. At that time, criminals set fire to a bus and exploded crude bombs at Gulistan. In that panic, Mizanur ran with others in fear. The police caught Mizan suspecting him of being one of the attackers. Mizan told police about his travel to Oman, but police produced him before the mobile court. The court sentenced Mizan five months imprisonment and sent him to jail.<sup>145</sup>

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<sup>138</sup> The daily Manabzamin, 22/01/2015

<sup>139</sup> The daily Prothom Alo, 12/02/2015

<sup>140</sup> The daily Naya Diganta, 08/02/2015

<sup>141</sup> The Bangladesh Protidin, 16/11/2015

<sup>142</sup> The daily Naya Diganta, 18/11/2015

<sup>143</sup> The daily Manabzamin, 18/01/2015

<sup>144</sup> Ibid

<sup>145</sup> The daily Prothom Alo, 21/01/2015

## ***Mass arrests revived after preparations for Municipality elections under party banners***

49. Allegations of mass arrests of leaders and activists of the opposition political parties across the country was reported soon after the preparation of Municipality elections under political party symbols in November, which continued till December. They were allegedly arrested because of their political affiliation. From November 3 to December 31, 2015 a reported total of at least 6,322 persons were arrested by Joint Forces and police during special drives across the country. Most of the arrestees are engaged with the politics of opposition political parties – BNP and Jamaat-Shibir. Many of the arrestees had no cases filed or warrants of arrest against them.<sup>146</sup> During this period, for example, the Vice-Chairman of Chitalmari Upazila under Bagerhat District and the President of the Upazila unit Jatiyatabadi Mohila Dal<sup>147</sup>, Runa Gazi was arrested along with her 13-month old baby.<sup>148</sup> Ward No. 3 of Pallabi Thana unit BNP President Abu Taiyab recently returned home after Haj and had been arrested over allegations of assisting in destructive activities of Jamaat-Shibir during the period he was at Haj. He even showed the police relevant documents as evidence of his absence from Bangladesh, but to no avail.<sup>149</sup>

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<sup>146</sup> The daily Jugantor, 10/11/2015

<sup>147</sup> Jatiyatabadi Mohila Dal is a women wing and affiliated to the Bangladesh Nationalist Party (BNP)

<sup>148</sup> The daily Naya Diganta, 14/11/2015

<sup>149</sup> The Bangladesh Protidin, 16/11/2015

## E. Freedom of Expression and the Media

50. In 2015, incidents of State interference on the freedom of expression of citizens; attacks on the media and journalists; and intimidation and filing cases against journalists; and arresting citizens for expressing their free opinions were reported. The present government is controlling most of the media, particularly the electronic media. The government closed down the pro-opposition electronic and print media, such as the private channels, Channel 1, Diganta TV and Islamic TV; and the publication of the daily Amar Desh. The acting editor of the daily Amar Desh, Mahmudur Rahman had been detained in jail for 33 months. Several cases have been filed against some editors and publishers, which the victims and their family members have claimed to be “fabricated. Furthermore, a number of private TV channel owners have been arrested. Interfering in TV talk-shows and banning some talk-shows has also occurred. On February 24, 2015, in a press statement, the Shompadok Parishad (Editors’ Council), an organisation of the editors of national dailies, stated that currently it had become difficult to work independently in the print and electronic media.<sup>150</sup> The Shompadok Parishad expressed grave concern in another meeting held on April 4, 2015, regarding incidents of torture, attack and harassment on journalists by police, influential politicians and by local criminals.<sup>151</sup> Meanwhile the government has decided to bring online newspapers and news portals under registration.

### *Hindrance to freedom of media*

51. According to information gathered by Odhikar, from January to December 2015, one journalist was killed, 90 were injured, 10 were assaulted, 34 were threatened, four were attacked, one was tortured, 10 were arrested and 18 journalists were sued. Furthermore, eight local newspapers were shut down.

52. In the night of January 4, 2015 a private TV channel ‘Ekushey Television (ETV)’ telecasted live the 50-minute statement of BNP Vice-Chairman Tareque Rahman, from the United Kingdom. In the morning of January 6, 2015, the Detective Branch (DB) police arrested ETV Chairman Abdus Salam from the ground floor of the ETV office. Later he was shown as arrested in a case filed under the Pornography Control Act. On January 8, 2015 the Sub Inspector of Tejgaon Police Station, Borhan Uddin filed a sedition case<sup>152</sup> against Tareque Rahman and Abdus Salam and ‘four or five

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<sup>150</sup> The daily Prothom Alo, 25/02/2015

<sup>151</sup> The daily Prothom Alo, 08/04/2015

<sup>152</sup> According to fifteenth amendment of the Constitution of Peoples’ Republic of Bangladesh which was passed on June 30, 2011, death penalty is the highest punishment for sedition.



unnamed persons' after getting an approval from the Ministry of Home Affairs.<sup>153</sup> On February 7, 2015, 45/50 people led by Kaliganj Upazila unit Chhatra League President Israil Hossain, and Jubo League leader Nomani entered the daily Nobochitra office in Kaliganj under Jhenaidah District and vandalized chairs and tables in the office. They verbally abused the Chief Editor of the newspaper, Shahidul Islam and threatened to kill him. Later they locked the main gate of the office. The attackers were supporters of Awami League Member of Parliament (Jhenaidha-4 constituency), Anwarul Azim Anar.<sup>154</sup> Meanwhile BNP's senior Vice-President Tareque Rahman, ETV Chairman Abdus Salam and four or five unknown persons were accused in a sedition case filed by the Assistant Sub Inspector of Tejgaon Police Station, Borhanuddin. On March 3, 2015 a journalist of a private TV channel Ekushey Television (ETV), Kanak Sarwar was arrested on sedition charges.<sup>155</sup> A staff reporter of the daily Jugantor, Mohammad Hanif was given death threats by the President of Noakhali Maizdi city unit Awami League, Abdul Wadud Pintu. On April 24, 2015 Hanif published this incident in the daily Jagantor. This irritated Abdul Wadud Pintu and he, along with five criminals, including Rafi, Rajib and Raju attacked the office of journalist Hanif located at Town Hall Mor on the same day. Hanif was injured and his office furniture vandalized.<sup>156</sup> On May 20, 2015 the Deputy Commissioner (DC) of Munshiganj, Mohammad Saiful Hassan Badal abruptly cancelled the publication of eight local newspapers published from Munshiganj without any reason or notice. These are the Doinik Deshseba, Saptahik Munshiganj, Saptahik Munshiganj Songbad, Saptahik Bikrampur Songbad, Saptahik Kagojer Khobor, Saptahik Munshigonjer Bani, Saptahik Khola Kagoj and Saptahik Shotto Prokash.<sup>157</sup> On July 6, 2015 the owner of Rafi Enterprise and power tiller supplier, Asadul Islam, filed an extortion case in court against the staff reporter of the daily Prothom Alo in Jhenaidah, Azad Rahman; and local journalist of Kotchandpur, Subrata Sarkar for publishing news on irregularities of buying power tillers with subsidies, in Kotchandpur Upazila under Jhenaidah District.<sup>158</sup> Later on July 12 and 13, 2015 seven people from Kotchandpur, who were selected to get power tillers with subsidies, filed seven defamation cases against Prothom Alo Editor Matiur Rahman; Staff Reporter Azad Rahman; and local journalist Subrata Sarkar.<sup>159</sup> On August 13, 2015 the Acting Editor of the daily Amar Desh, Mahmudur Rahman was sentenced to three years imprisonment and one hundred thousand taka fine by a temporary Court situated at Alia Madrassa field in Old Dhaka. The Court also ordered another month of jail if he failed to pay the fine.

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<sup>153</sup> The daily Prothom Alo, 09/01/2015

<sup>154</sup> Report sent by human right defender associated with Odhikar from Jhenaidah.

<sup>155</sup> The daily Manabzamin, 04/03/2015

<sup>156</sup> Report sent by human right defender associated with Odhikar from Noakhali.

<sup>157</sup> Report sent by human rights defender associated with Odhikar from Munshiganj.

<sup>158</sup> The daily Prothom Alo, 07/07/2015

<sup>159</sup> The daily Prothom Alo, 17/07/2015

The Anti Corruption Commission (ACC) had allegations against him that he did not respond to a notice given by the ACC regarding his property.<sup>160</sup> It is to be mentioned that Mahmudur Rahman had been arrested on April 11, 2013 from the daily Amar Desh office. In the evening of that day, the printing press of the Amar Desh was sealed and remains so to this day.<sup>161</sup> On August 19, 2015 a group of employees of the National Identity Card Registration Department beat and injured Channel 24, a private satellite TV channel reporter, GM Mustafizul Alam and camera person, Ripu Ahmed. The injured journalists were gathering information regarding various problems in relation to obtaining National Identity cards.<sup>162</sup> On November 8, 2015 Rajshahi correspondents of Jamuna Television were going to Mohonpur of Rajshahi with an assignment. On the way to Mohonpur, some Jubo League activists, led by local Jubo League leader Hafiz, were collecting extortion money from various vehicles, at Mougachhi Bidirpur area. When journalists were taking photos of this incident, the Jubo League activists led by Hafiz attacked the journalists and vandalized their vehicle. Staff reporter Sohrab Hossain and cameraman Tareque Mahmud Russel were injured during the attack. Though some police personnel from Mohonpur Police Station were present during the incident, they did not come forward to save the journalists.<sup>163</sup>

### ***Online media to be registered***

53. On November 9, 2015 the Department of Information, under the Ministry of Information, through a notification, instructed online media publishers to apply for the registration of online newspapers by December 15, 2015. On October 28, 2015, the Cabinet Committee on Law and Order discussed how the online newspapers and news portals could be held responsible for ‘misleading and inconsistent information’ and the need to make the online media accountable. This notification had been issued soon after instructions given by the government. The government has drafted a National Online Mass Media Policy 2015, which will empower the proposed National Broadcasting Commission to coordinate and monitor online news portals. The new draft policy prescribes a ban on posting what it calls ‘misleading and inconsistent’ information and data.<sup>164</sup>

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<sup>160</sup> The daily Amar Desh (Online), 13/08/2015

<sup>161</sup> Information gathered by Odhikar

<sup>162</sup> The daily Jugantor, 20/08/2015

<sup>163</sup> The daily Jugantor, 09/11/2015

<sup>164</sup> The daily New Age, 10/11/2015

## ***Killing of bloggers***

54. On February 26 at around 8:45 pm, US citizen and blogger Avijit Roy (42) and his wife Rafida Ahmed Bonnya (35) were attacked by two criminals while they were waiting for tea at a road side stall in front of Suhrawardy Uddan adjacent to TSC<sup>165</sup> in the Dhaka University campus, after emerging from of the Ekushey Book Fair<sup>166</sup>. Two armed criminals attacked them in the presence of police and fled the scene after stabbing them indiscriminately with sharp weapons. Both were admitted to the Dhaka Medical College Hospital, where Avijit Roy succumbed to his injuries at around 10:30 pm.<sup>167</sup> On May 12, 2015, blogger Ananta Bijoy was killed by four masked men at Subidhbazar Nurani Dighirpar area of Sylhet in broad day light, while he was going to Pubali Bank at Jawabazar in Chhatak. In the afternoon, a so-called ‘outfit’, Ansarullah Bangla Team acknowledged his killing in a twitter message. Two hours before his death Ananta Bijoy had criticized the Member of Parliament of Sylhet-3<sup>168</sup>, who had stated that the present Parliament was an unelected one.<sup>169</sup> On August 7, 2015 blogger Neeladri Chatterjee was killed in his rented flat, located on road 8 in South Goran under Khilgaon Police Station in Dhaka. He used to write in various social media, including Facebook and had a blog under the name ‘Niloy Neel’. Four unidentified criminals stabbed him to death in front of his wife Asha Moni. Later, an organisation named ‘Ansarul Al-Islam’ took responsibility for this killing through an email message sent to the media.<sup>170</sup> On October 31, 2015 Faisal Arefin Dipan, the owner of the publishing house ‘Jagriti Prokashony’, was stabbed and killed by criminals in his office at Aziz Co-operative Super Market in Shahbagh, Dhaka City. On the same day, another publisher, Ahmedur Rashid Chowdhury Tutul and two bloggers Ranadipam Basu and Tareque Rahim, were attacked and stabbed and shot at Tutul’s office in Lalmatia, by a group of men.<sup>171</sup> It is also to be mentioned that five bloggers were killed between January 2013 and October 2015.

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<sup>165</sup> The Teacher-Student Centre of the University of Dhaka is an important social and activity centre.

<sup>166</sup> Ekushey Book Fair is called *Amar Ekushey Boi Mela* in Bengalee which means Book Fair of Immortal 21<sup>st</sup> of February. This book fair is the biggest book fair as well as national book fair of Bangladesh. Ekhushey Book Fair is held every year in February in the Bangla Academy premises for a month.

<sup>167</sup> The daily Prothom Alo, 27/2/2015 and 28/02/2015

<sup>168</sup> Mahmud Samad Chowdhury Kayes.

<sup>169</sup> Report sent by human rights defender associated with Odhikar from Sylhet.

<sup>170</sup> The daily Manabzamin, 08/08/2015

<sup>171</sup> The daily Prothom Alo, the Daily Star, 01/11/2015

## *Freedom of expression and social media*

55. On January 13, 2015 a team of Detective Branch (DB) police arrested BNP's Information and Research Secretary, Habibur Rahman Habib from outside the studio of Channel 24, after he had taken part in a talk-show. In that talk-show, Habibur Rahman Habib had criticized the government strongly for confining BNP Chairperson Khaleda Zia.<sup>172</sup> On May 20, 2015 Mohammad Kamruzzaman, Deputy Assistant Officer (Land) from Kushdi of Barishab Union under Kapasia Upazila in Gazipur was temporarily suspended as he allegedly criticized the government on his facebook account.<sup>173</sup> On June 10, 2015 the International Crimes Tribunal-2 punished the founder Director of Gonoshasthaya Kendra (a well-known public health centre) Dr. Zafrullah Chowdhury on the allegation of Contempt of Court. The Tribunal 'punished' him by making him stand in the Court dock for one hour and he was also fined Taka five thousand. Failing to pay, would result in one month detention in jail.<sup>174</sup> On August 12, 2015 the Additional Chief Metropolitan Magistrate of Dhaka, Nazmul Huq Shyamol, awarded three years of rigorous imprisonment with 10 thousand taka fine and another six months jail for default in payment of fine, in a sedition case filed against Ruhul Amin Khandker, a former teacher of Jahangirnagar University. He had been sentenced for giving a status on his Facebook account<sup>175</sup> on August 13, 2011 about the Prime Minister and regarding the deaths due to road accidents. The Court passed this judgement in the absence of the accused teacher.<sup>176</sup> On November 12, 2015 the Dhaka University authority apprehended Imran, a third year student of the Home Economics Department; a first year student of Bangla Department, Firoze; Abdur Rahman, a third year student of Islamic Studies Department; a first year student of Education and Research Institute, Golam Mostafa; and Hanif, a third year student, from Bijoy Ekattor Hall<sup>177</sup> of Dhaka University, for giving status on their facebook accounts against the government and the Prime Minister; they were handed over to the Shahbagh Police Station.<sup>178</sup> The Officer-in-Charge of Shahbagh Police Station, Abu Bakar Siddique informed Odhikar that the arrestees were sent to court after being shown as arrested under Section 54 of the Code of Criminal Procedure.<sup>179</sup>

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<sup>172</sup> The daily New Age, 14/01/2015

<sup>173</sup> The daily Manabzamin, 24/05/2015.

<sup>174</sup> The daily Jugantor, 11/06/2015 and the daily Manabzamin, 17/06/2015

<sup>175</sup> <http://archive.prothom-alo.com/detail/date/2012-01-09/news/215140>

<sup>176</sup> On August 13, 2011, a famous film director Tareq Masud and journalist Mishuk Manir were died in a road accident in Manikganj. At that time 27 thousand driving license were given to the drivers without any scrutiny. Being annoyed of their death, Ruhul AMin Khandker gave such status on his facebook account.

<sup>177</sup> Students residential hall

<sup>178</sup> The daily Jugantor, 14/11/2015

<sup>179</sup> Information gathered by Odhikar

## ***Government blocks social media amid ‘security concerns’***

56. On January 18, 2015 the government blocked the internet calling and messaging services Viber and Tango for Bangladeshi users citing ‘security’ concerns. After blocking Viber and Tango, the government, on January 19, blocked three more online voice and messaging services—WhatsApp, Mypeople and Line. After massive criticism against the blocking, the government had to reopen such applications on January 22, 2015.<sup>180</sup> The government again blocked almost all social networking media and mobile messaging and internet applications, including Facebook, Viber and WhatsApp from November 18, 2015 for an indefinite period on the pretext of maintaining ‘security’ in Bangladesh. The Bangladesh Telecommunication Regulatory Commission (BTRC) at first verbally and later in a written order, asked all mobile phone operators in the country and the International Internet Gateway (IIG) operators to stop social media and networking apps. Later on, through a similar order, other mobile messaging and internet applications including Line, Tango and Hangout were stopped. Furthermore, on November 18, 2015 from 1:00 pm to 2:30 pm internet connections across the country were shut.<sup>181</sup> Due to massive criticism, the government re-opened all social media and networking apps, including Facebook, Viber, WhatsApp on December 14, 2015 after 31 days.<sup>182</sup>

## ***The repressive Information and Communication Technology Act 2006 (amended 2009, 2013)***

57. The repressive Information and Communication Technology Act 2006 (amendment 2009, 2013) is still in force. The latest amendment to what is commonly called the ICT Act, was made on October 6, 2013. Section 57<sup>183</sup> of the ICT Act 2013, states that publishing or transmitting in a website in electronic form, of any defamatory or false information is considered to be a cognizable and non-bailable offence. Punishment for committing this offence has been amended from a maximum of 10 years, with no minimum to a term of a minimum of seven years and maximum of 14 years’ imprisonment and a fine of Taka 10 million. This law has curtailed the freedom of

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<sup>180</sup> The daily Manabzamin, 20/01/2015

<sup>181</sup> The daily Naya Diganta, 19/11/2015

<sup>182</sup> The daily Prothom Alo, 19/11/2015

<sup>183</sup> Section 57 of the ICT Act states: (1) If any person deliberately publishes or transmits or causes to be published or transmitted in the website or in electronic form any material which is fake and obscene or its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the State or person or causes to hurt or may hurt religious belief or instigate against any person or organization, then this activity of his will be regarded as an offence.

(2) Whoever commits offence under sub-section (1) of this section he shall be punishable for a term of minimum of seven years’ imprisonment and a maximum of 14 years or a fine of Taka one crore or both.

expression and the government is using this Act against human rights defenders, journalists, bloggers and people who have alternative opinions.

58. According to Odhikar documentation, in 2015, 34 persons were arrested under the Information and Communication Technology Act 2006.
59. On January 23, 2015 police of Ramna Model Police Station arrested Firdatul Muntaha Sanjida, a student of the English Department at World University, for allegedly commenting and uploading pictures mocking the Prime Minister Sheikh Hasina and her son Sajib Wazed Joy on facebook.<sup>184</sup> On February 20, a 17-year old boy, Rifat Abdullah Khan, was picked up while coming home from an exam and later shown arrested under the ICT Act.<sup>185</sup> On May 18, 2015 a youth named Roman Palwan (28) was arrested by the Detective Branch (DB) of police from Sadarghat of Bhola and a case was filed against him under section 57(1) of the ICT Act. It is alleged that he had posted a cartoon image of the Prime Minister, Sheikh Hasina on his facebook account.<sup>186</sup> On June 16, 2014 Dhaka Metropolitan Detective Branch (DB) Police arrested S M Shakhawat Hossain, Editor of an online newspaper 'Islamic News 24.com' for allegations of communal incitement. DB police stated that Buddhists in Myanmar are inhumanly suppressing Rohingya Muslims and S M Shakhawat Hossain wrote an online newspaper and posted status on his facebook account, urging all the Muslim populations in the world, including Bangladesh to resist against this suppression. For this reason, a case was filed against him under section 57(1) of the ICT Act.<sup>187</sup> On July 9, 2015 a youth named Shah Alam was arrested by police for allegations of making objectionable comments on his facebook account against various ministers, including Minister Syed Ashraf Islam and the State Minister for Foreign Affairs, Shahriar Alam; a case was filed against him with Motijheel Police Station under the ICT Act.<sup>188</sup> On August 16, 2015 Probir Sikder, Editor of an online newspaper named "Uttaradhikar '71", was picked up by the Detective Branch (DB) of Police from his office at Indira Road in Dhaka, based on a case filed against him under the ICT Act with Kotwali Police Station in Faridpur, by the Assistant Public Prosecutor (APP) of Faridpur District Court, Swapon Pal. The allegations against Probir Sikder were that he had given a status on his Facebook account against LGRD<sup>189</sup> Minister Khandker Mosharaf Hossain, Musa Bin Shamsar<sup>190</sup> and Moulana

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<sup>184</sup> The daily Manabzamin, 24/01/2015

<sup>185</sup> See details of his case under the heading of 'Allegations of enforced disappearance against law enforcement agencies' in this report.

<sup>186</sup> The daily Prothom Alo 19/05/2015.

<sup>187</sup> The daily Naya Diganta, 18/06/2015

<sup>188</sup> The daily Prothom Alo, 12/07/2015

<sup>189</sup> Local Government and Rural Development

<sup>190</sup> A rich business man

Abul Kalam Azad.<sup>191</sup> On November 5, 2015 police arrested Mohammad Shahjahan, President of Char Martin Union unit Jamaat-e-Islam, from Hajirhat Bazar under Ramgati Upazila in Lakshmipur District, for posting photographs mocking the Prime Minister Sheikh Hasina and Information Minister Hasanul Huq Inu, in his Facebook account. A case was filed against him under the ICT Act.<sup>192</sup> On December 10, 2015 RAB-1 arrested Refayet, administrator of a facebook page ‘Moja Los’ for allegedly conducting anti-state campaign. A case was filed against him under the ICT Act with Bhatara Police Station.<sup>193</sup>

60. Odhikar believes that it is a misuse of power to arrest and harass persons whose opinions go against the government. Odhikar demands that the government repeal the draconian Information and Communication Technology Act 2006 (Amended in 2009 and 2013) and also expresses concern over taking initiative to enact a new more repressive law on internet usage. Odhikar demands justice through impartial investigations into the killings of bloggers.

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<sup>191</sup> A convicted prisoner with death penalty for committed crimes against humanity in 1971, who is currently absconded.

<sup>192</sup> The daily Prothom Alo, 07/11/2015

<sup>193</sup> The daily Prothom Alo, 11/12/2015

## F. Freedom of Assembly

### *Attacks and barriers to meetings and assemblies*

61. In 2015, many incidents of barring peaceful meetings and stopping meetings and assemblies of opposition political parties occurred. The government also engaged police and party activists to attack gatherings and conduct mass arrests. Whenever the opposition or groups with alternative beliefs called meetings or gatherings, the ruling party Awami League, Jubo League and Chhatra League also meetings at the same place and same time. As a result, the local administration stopped all such events by imposing section 144 of the Code of Criminal Procedure.<sup>194</sup>
62. The BNP led 20-Party Alliance took initiatives to organise a meeting in Dhaka, declaring January 5 as ‘death of democracy day’ to commemorate one year of the holding of the controversial January 5, 2014 Parliamentary Elections. The government barred the meeting and BNP Chairperson Khaleda Zia was confined in her political party office at Gulshan, Dhaka. This resulted in massive political violence across the country for about three months.<sup>195</sup> On April 23, 2015 Awami League supported Projonmo League<sup>196</sup> attacked a human chain organised by Jatiyatabadi Sangskritik Jote<sup>197</sup>, protesting attacks on the motorcade of Khaleda Zia, in front of the National Press Club.<sup>198</sup> Later on April 25, a group of 30-35 activists of the ruling party, led by Amir Hossain, attacked a human chain at the same place, organised by Swadhinota Forum<sup>199</sup> protesting attacks on the motorcade of Khaleda Zia. During the attack, BNP executive member and former parliamentarian, Khaleda Yeasmin, was beaten.<sup>200</sup> On May 10, 2015 leaders and activists of Progotishil Chhatrajote<sup>201</sup> and the anti-colonialism student alliance, brought out a rally in order to surround the DMP<sup>202</sup> Headquarters to protest police failure in arresting the perpetrators of sexual harassment on the Dhaka University campus during celebration of Bangla New Year on April 14, 2015.<sup>203</sup> They were stopped by police in front of the officers’ quarters, adjacent to the DMP Headquarters. The protestors sat on the street, chanting slogans, ignoring the police barricade. Police then baton charged the protesters and used a

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<sup>194</sup> Section 144 of the Code of Criminal Procedure, 1898 provides power to the Magistrate to issue orders to stop any meeting or gathering. See [http://bdlaws.minlaw.gov.bd/sections\\_detail.php?id=75&sections\\_id=20789](http://bdlaws.minlaw.gov.bd/sections_detail.php?id=75&sections_id=20789)

<sup>195</sup> Information gathered by Odhikar

<sup>196</sup> A pro-Awami League organisation

<sup>197</sup> BNP supported cultural alliance

<sup>198</sup> The daily Manabzamin, 26/04/2015

<sup>199</sup> A pro-BNP organisation

<sup>200</sup> The daily Jugantor, 26/04/2015

<sup>201</sup> An alliance of progressive students.

<sup>202</sup> Dhaka Metropolitan Police.

<sup>203</sup> The daily Prothom Alo, Jugantor, 15/04/2015.



water cannon and tear gas. Women activists were also physically attacked by male police.<sup>204</sup> On June 6, 2015 attacked the gathering organised by some left-leaning organisations, including the Jatiya Mukti Council, in front of the National Press Club, Dhaka, protesting the killing of Bangladeshi citizens by the Indian BSF and acts of Indian aggression during the Indian Prime Minister Narendra Modi's visit to Dhaka. Several activists were injured during the attack. Police also arrested seven persons from the place of incident.<sup>205</sup> In the night of August 14, some Jubo League activists, including Monir Prodhan, Liton and Faruque demanded Taka 15 thousand from the Head Teacher of Bhuiyara High School under Kochua Upazila in Chandpur, from the money which had arrived for female student scholarships. The money was demanded for observing the National Mourning Day on August 15. Jubo League activists assaulted Head Teacher Dulal Chandra Sarkar at noon on August 15 as the money was not given. Another teacher of this school, Fazlur Rahman was beaten by Jubo League activists when he protested. On August 16, 2015 students of that school formed a human chain in protest. Approximately 16 Jubo League activists attacked the students with sticks and injured at least 40 of them.<sup>206</sup> On August 18, 2015 police stopped a meeting of a group named 'Adarsha Dhaka Andolon', in Samarai Convention Centre at Panthapath in Dhaka. Police arrested the Member Secretary of this organisation; and the President of Bangladesh Federal Union of Journalists (BFUJ), Shawkat Mahmud from the meeting.<sup>207</sup> The National Press Club authority abruptly cancelled its permission to hold a programme in its auditorium, to mark the International Day of the Victims of Enforced Disappearances on August 30, 2015. The event was scheduled to be jointly organised by members of the families of the disappeared, the Asian Federation against Involuntary Disappearances (AFAD), the Asian Legal Resource Centre (ALRC), the International Federation for Human Rights (FIDH) and Odhikar. Furthermore, law enforcement agencies in various districts also inquired about local human rights defenders who are associated with Odhikar and advised them not to conduct any programmes on that day.<sup>208</sup> On September 9, 2015 police used excessive force, including batons, tear gas shells and rubber bullets, on the students of East-West University to disperse them when they blocked roads at Aftabnagar under Badda Police Station in Dhaka, demanding the withdrawal of Value Added Tax (VAT) on tuition fees from private universities. At least 30 students and the Additional Registrar of East-West University were shot at and injured.<sup>209</sup> On September 30, 2015 police broke up a protest rally near the National Museum in

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<sup>204</sup> The daily Prothom Alo, 12/05/2015 (Online).

<sup>205</sup> The daily New Age, 07/06/2015 and press release from Jatiya Mukti Council

<sup>206</sup> The daily Naya Diganta, 17/08/2015

<sup>207</sup> The daily Naya Diganta, 19/08/2015

<sup>208</sup> Information gathered by Odhikar

<sup>209</sup> The daily Jugantor, 10/09/2015

Dhaka city; and physically and verbally assaulted the protesters. The rally was organised by medical college admission seekers demanding the scrapping of the previous admission tests results, as they alleged that the question papers of the tests had been leaked. Police beat the protesters with rifle butts and also ripped the dress of a female protester. 15 protesters were arrested from the spot and taken to the Shahbagh Police Station.<sup>210</sup> On September 16, 2015 leaders and activists of the Communist Party of Bangladesh (CPB) and the Socialist Party of Bangladesh (SPB) assembled on the Dhaka-Rangpur highway under Mithapukur Upazila in Rangpur District to protest the increasing prices of gas and electricity. When the protest rally started to move forward, after the meeting, police and the activists of Sechchasebak League<sup>211</sup> attacked it. 15 protestors, including two women activists of SPB were injured in the attack and fell on street. Local people rescued them and took them to Mithapukur Health Complex, but Sechchasebak League activists handed over injured protestors Anik, Fazlu, Ratan and Nahid to the police. On the same day, a blockade programme organised by the CPB and the SPB to protest the increasing prices of gas and electricity, was also stopped by police in Kotiadi Upazila under Kishorganj District. Seven protestors were injured during this incident.<sup>212</sup> On October 7, 2015 police baton charged a protest rally comprising of medical college admission seekers and their guardians; and threw pepper spray on them when they reached Karwan Bazaar in Dhaka. The protesters were demanding a new admission test for medical and dental colleges; and initiated this rally from the Shaheed Minar square and marched towards the Health Department at Mohakhali, Dhaka. At least 30 persons were injured during the police action.<sup>213</sup> On October 16, 2015 the Democratic Left Front (DLF) initiated a three-day road march towards the Sundarbans, demanding the protection of the Sundarbans and the cessation of the Rampal Coal-based Thermal Power Plant project. As part of the programme, the DLF organised a meeting in the evening in front of the Central Shaheed Minar (martyrs' memorial) in Manikganj District. Police stopped the DLF leaders and activists from continuing the meeting; and baton charged them. At least 10 persons, including the Central Coordinator of the DLF, Saiful Huq; central leader Moshrefa Mishu; and Shuvrangshu Chokraborty were injured.<sup>214</sup> On November 5, 2015 the bi-annual conference of Tongibari Upazila unit BNP under Munshiganj District was stopped by police. The General Secretary of District unit BNP, Ali Azgar Ripon Mallik said that in the night of November 4,

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<sup>210</sup> The daily New Age, Manabzamin and Daily Star, 01/10/2015

<sup>211</sup> Voluntary wing of Awami League

<sup>212</sup> The daily Jugantor, 17/09/2015

<sup>213</sup> The daily Prothom Alo, 08/10/2015

<sup>214</sup> The daily Prothom Alo, 17/10/2015

police from Tongibari Police Station visited the meeting spot thrice and instructed the organisers not to hold any meeting or gathering.<sup>215</sup>

63. The right to freedom of assembly and the holding of peaceful meetings, rallies and processions are democratic and political rights of every citizen, as enshrined in Article 37 of the Constitution of the People's Republic of Bangladesh. Odhikar believes that there is a possibility of the rise of extremism in the country as a result of the government's move of absolute control on opposition parties and alternative voices and by creating barriers to freedom of expression and assembly.

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<sup>215</sup> The daily Manabzamin, 06/11/2015

## G. Public lynching

64. According to Odhikar documentation, from January to December 2015, 132 persons were killed, allegedly due to public lynching. Odhikar believes that due to the weak criminal justice system, the tendency to resort to public lynching is increasing, as people are losing their confidence and faith in the police and judicial system. To some extent, members of law enforcement agencies are also involved in public lynching while taking action against ‘criminals’.
65. On May 18, 2015 at night, local inhabitants chased and apprehended four men while they were preparing to commit robbery in Rashulpur Village of Keraniganj, Dhaka. The men were beaten by a mob who thought they were dacoits, which resulted Rezaul Islam Reju (30) and Aminul Islam (35) dying on the spot.<sup>216</sup> On July 5, 2015 at night, two men named Farhad Sheikh (25) and Milon (25) had an accident when their motor-bike hit a speed breaker at Hatkhola Bazaar under Boalkhali Upazila in Faridpur District. At that time 10-15 men were on community duty to prevent robbery at the Bazaar; and attacked them thinking they were dacoits. Both died on the spot.<sup>217</sup> On July 27, 2011 a 16-year boy, Shamsuddin Milon, resident of Char Kakra Union under Companiganj Upazila in Noakhali District, was picked up by police and handed over to the public for lynching. The boy was beaten to death by the mob in the present of the police.<sup>218</sup> In the morning of December 10, 2015 eight dacoits, who came to steal rice, were beaten to death in public lynching by the villagers of Aaraihazar in Narayanganj.<sup>219</sup>

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<sup>216</sup> The daily Prothom Alo, 20/05/2015.

<sup>217</sup> The daily Manabzamin, 07/07/2015

<sup>218</sup> The daily Prothom Alo, 27/07/2015

<sup>219</sup> The daily Manabzamin, 10/12/2015

## H. Myanmar and Indian Border issues

66. Bangladesh share border with India in three sides and the South-Eastern part of the country has a border with Myanmar. Indian border guards, the BSF has been repeatedly shooting at anyone seen near the border or anyone trying to cross the border; and illegally entering Bangladesh, which is a clear violation of international law and human rights; and a threat to the sovereignty of Bangladesh. In 2015, like the Indian Border Security Force (BSF), the Border Guard Police (BGP) of Myanmar violated the human rights of Bangladeshi citizens by entering into Bangladesh territory along the Bangladesh-Myanmar border.
67. According to information collected by Odhikar, in 2015, 44 Bangladeshi citizens were killed by the Indian Border Security Force (BSF). Of them 27 were gunned down, 14 were tortured to death and three Bangladeshis were killed by the BSF members in different ways. During this period, 60 Bangladeshis were injured. Of them, 42 had been shot, 14 were tortured, one was stabbed and three were injured by BSF by bow and arrow and catapult. In addition, 27 Bangladeshis were allegedly abducted by BSF. Furthermore, in June 2015, Border Guard Police (BGP) of Myanmar shot one member of the Border Guard Bangladesh (BGB) and abducted another BGB member by entering into Bangladesh territory, from the Naf River in Teknaf. Meanwhile in December, one Bangladeshi citizen was shot dead by Border Guard Police (BGP) of Myanmar.

### *Incidents along Bangladesh – India border*

68. In 2015, incidents of human right violations, including killing and torturing Bangladeshi citizens by BSF at the border continue. Some incidents are as follows:
69. On February 2, 2015 a group of BSF members shot and killed a Bangladeshi peasant named Nazrul, who was irrigating a paddy field in Nayapukurpar, at least 50 yards inside Bangladesh territory, near the main pillar 295 at Chapra border in Binail Union under Birampur Upazila in Dinajpur District.<sup>220</sup> On March 22, 2015 a Bangladeshi citizen named Tariqul Islam (35) was shot dead by BSF at the Wahedpur border under Charpaka union of Shibganj Upazila in Chapainawabganj District in Bangladesh.<sup>221</sup> On April 22, 2015 at around 11:00 am, a Bangladeshi woman named Hashura Khatun (35), a resident of Chancha area of Jessore, was beaten by BSF in Petrapole BSF Camp when she was returning to Bangladesh legally through Benapole Check post.<sup>222</sup>

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<sup>220</sup> The daily Prothom Alo, 03/02/2015

<sup>221</sup> Report sent by human right defender associated with Odhikar from Chapainawabganj.

<sup>222</sup> Report sent by human right defender associated with Odhikar from Jessore.

On May 14, 2015 a Bangladeshi cattle trader named Antor Islam was shot dead by BSF at sub pillar no. 1 of main pillar 843 of the India-Bangladesh border in Patgram under Lalmonirhat District. The BSF also took away his body.<sup>223</sup> On June 11, 2015 a Bangladeshi cattle trader named Shahidul Islam (30) was killed by BSF near the sub-pillar 3S of the main pillar no. 237 at Kolmudanga border under Shapahar Upazila in Naogaon District.<sup>224</sup> On July 10, 2015 some armed BSF members of Hakimpur Camp entered Bangladesh territory through Madra border under Kolaroa Upazila in Satkhira District, on a speedboat and country-made boat on the Sonai River. When the villagers tried to resist the BSF, an altercation took place between them. When BGB members approached, the BSF members escaped the area leaving behind a SLR with 20 rounds of bullets and a boat.<sup>225</sup> On August 19, 2015 a Bangladeshi cattle trader named Shafiqul Islam (28) was beaten to death by BSF Jawans of Adadanga 31 BSF Camp of India at Shapahar border in Naogaon District.<sup>226</sup> On September 18, 2015 some BSF members chased two adolescents, who went to catch fish in a pond at West Ramkrishnapur Village adjacent to the sub-pillar of main pillar 276/8 under Bhutiapara border in Dholahar Union in Joypurhat District. When the villagers protested, 30-35 BSF members entered 400 yards into Bangladeshi territory and shot indiscriminately at the villagers. Abu Zafar Bidyut, Farooq, Sayem, Porimal Mardi and Nirmol Mardi of Ramkrishnapur Village were injured. Sayem (37) died when he was being transferred to Shaheed Ziaur Rahman Medical College Hospital in Bogra in a critical condition.<sup>227</sup> In the early morning of November 26, 2015 two Bangladeshi citizens named Nazrul Islam and Abdul Khaleque Sarkar were shot dead by members of Indian BSF of Tarali Camp under 76 Battalion in Tarali area at Toluigacha border under Satkhira Sadar Upazila.<sup>228</sup> On December 10, 2015 some Bangladeshi cattle traders were returning with cows through Zahurpur border of Narayanpur Union under Sadar Upazila of Chapainababganj. At that time BSF members of 20 Battalion caught a cattle trader named Abdur Rahman Sentu (33) and tortured him to death.<sup>229</sup>

### ***Incidents along the Bangladesh – Myanmar border***

70. At the end of 1991, the then Myanmar Border Guards Nasaka attacked Reju Fatrajhiri BDR<sup>230</sup> Camp at Ghundhum border in Naikkhongchori in Bandarban District; and looted arms and ammunition after killing a BDR member of Bangladesh. Due to this,

<sup>223</sup> The daily Jugantor, 15/05/2015.

<sup>224</sup> The daily Jugantor, 12/06/2015

<sup>225</sup> The daily Jugantor, 11/07/2015

<sup>226</sup> The daily Jugantor, 20/08/2015

<sup>227</sup> The daily Jugantor, 19/09/2015

<sup>228</sup> The daily Prothom Alo, 27/11/2015

<sup>229</sup> The Naya Diganta, 12/12/2015

<sup>230</sup> BDR: Bangladesh Rifles was the previous name of Bangladesh border security force. Now it has been re-named as Border Guard Bangladesh (BGB) after the BDR mutiny in February 2009.

acts of human rights violations occurred at the border area and as a result, about 250,000 Rohingyas took shelter in Bangladesh. Such incidents continue at the Myanmar-Bangladesh border.

71. On June 17, 2015 a six-member team of BGB, led by Nayek Abdur Razzak was searching two boats, suspecting of drug smuggling in Bangladesh territory while they were patrolling the Naf River in Taknaf under Cox's Bazaar District. At that time Border Guard Police (BGP) members of Roigadong Camp of Myanmar entered Bangladesh territorial waters by a trawler and stopped near the BGB trawler. BGP members forcibly took Nayak Abdur Razzak onto their trawler when he told BGP to leave Bangladesh territory. An exchange of fire also occurred between the two groups. As a result, BGB jawan Biplob Kumar was shot and injured.<sup>231</sup> On June 25, 2015 BGP handed Nayak Abdur Razzak over to the BGB after a flag meeting at Mongdu in Myanmar.<sup>232</sup> On December 14, 2015 the border security guard of Myanmar entered 50 yards into Bangladesh territory and shot at three Bangladeshis while they were passing through Naikkhongchhori border in Bandorban District. A Bangladeshi citizen named Joynal Abedin died on the spot.<sup>233</sup>
72. No explanation or compensation has been secured from the Indian and Myanmar governments regarding the killing, abduction and torturing Bangladeshi citizens in the hands of Indian Border Security Force (BSF) and the Border Guard Police (BGP) of Myanmar, till the end of 2015. Odhikar believes that it is the duty of the Bangladesh government to ask for an explanation from the Indian government, regarding the killings, abduction and torture of Bangladesh citizens by BSF and from the Myanmar government regarding the attack on Bangladeshis.

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<sup>231</sup> The daily Prothom Alo, 18 and 20/06/2015

<sup>232</sup> The daily Jugantor, 26/06/2015

<sup>233</sup> The daily Jugantor, 19/12/2015

## I. Human rights violations on minority communities

73. The apathy of the government and the administration regarding attacks on religious minority groups and their places of worship, are one of the reasons such incidents happen repeatedly. The systematic politicization of these incidents and the ensuing blame game make the situation more vulnerable.

### *Violence against religious minority communities*

74. On January 5, 2015 the Criminal Investigation Department (CID) submitted a charge sheet in Abhoynagar Cognizance Court in Jessore on the case relating to the attacks at Malopara in Abhoynagar during parliamentary elections on January 5, 2014. About 100 local BNP, Jamaat-Shibir<sup>234</sup> leaders and activists were accused in the charge sheet. The inhabitants of Malopara stated that the names of the principal accused persons were not incorporated in the charge sheet and some irrelevant names were also included. One of the wounded men, a resident of Malopara, Shekhar Kumar Barman said that many innocent people have been included in the charge sheet.<sup>235</sup> On January 9, 2015 a group of unknown criminals entered the Shree Krishna Goshai temple by breaking its gate and vandalized idols and set fire to objects used for worship, in Krishnapur village under Madhabpur Upazila in Habiganj District.<sup>236</sup> During a human chain programme in protest of this incident, on January 19, 2015, the President of Jessore District Sanaton Bidyarthi Sangsad, Proshenjeet Thakur, alleged that 31 Hindu families of Shakharipta Village under Sharsha Upazila in Jessore District, were forced to leave the country due to repression by the General Secretary of Bahadurpur Union unit Awami League, Mofizur Rahman.<sup>237</sup> On April 19, 2015 a group of 50-60 criminals led by a local influential, Rafiqul Islam, attacked a Hindu temple and some houses belonging to Hindu families at 'Bongram Sree Sree Sudhonya Kripamoyee Kali Mandir'<sup>238</sup> in Bongram area under Gazipur City Corporation. Later criminals vandalized some houses and shops and looted money in the adjacent area. Criminals broke four idols of gods and goddesses at the Kali Mandir. At least six people were injured during this attack.<sup>239</sup> Allegations of illegally grabbing land belonging to the minority Hindu community; and attacks and intimidation on them, were found against the ruling party (Awami League) Parliamentarian from Thakurgaon-2 constituency, Dabirul Islam and his son Mazharul Islam Sujon. On June 19, 2015 around 25 – 30 criminals, including the Coordinator of

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<sup>234</sup> Bangladesh Jamaat-e-Islami and its student wing

<sup>235</sup> The daily Prothom Alo, 07/01/2015

<sup>236</sup> The daily New Age, 10/01/2015

<sup>237</sup> Report sent by human right defender associated with Odhikar from Jessore; the daily Manabzamin, 21/01/2015

<sup>238</sup> Mandir – Hindu temple

<sup>239</sup> Report sent by human right defender associated with Odhikar from Gazipur.



Ronobagh Tea Estate Company, Akramul Huq; and locals Mohammad Ali; Shawkat Ali; Ashraful Islam; Ershad Ali; and Babu Mini, led by Mazharul Islam Sujon attacked Akul Chandra Singh, Bhakaram Singh and Janak Singh. At least 10 people, including Bhakaram Singh, were injured in this incident.<sup>240</sup> On August 6, 2015 the Bangladesh Hindu, Buddha, Christian, Oikya Parishad (Bangladesh Hindu Buddhist Christian Unity Council) made allegations in a press conference at the Dhaka Reporters Unity that the Members of Parliament and the Administration are involved in grabbing property belonging to minority communities. Such allegation was made in a statement signed by the General Secretary of the organisation, Rana Dasgupta.<sup>241</sup> On October 6, 2015 a group of criminals vandalized five effigies in a place of worship of the goddess Durga at Protapnagar Kormokarpara, under Ashashuni Upazila in Stakhira District. On October 18 at around 3:30 am, another group of criminals vandalized three effigies belonging to the Durga Puja festival in Babulia under Satkhira Sadar Upazila.<sup>242</sup> On October 19, 2015 local people apprehended a local Chhatra League<sup>243</sup> leader Mehedi Hasan and Chhatra League activists Shamim Mridha, Badiul Islam, Masud Sheikh, Miraz Howlader, Miraz Fakir and Shukhdeb Sarkar and handed them over to police for vandalising effigies belonging to the Durga Puja in the Chairmanbari area under Ujirpur Upazila in Barisal District.<sup>244</sup> On November 12, 2015 criminals vandalized effigies of goddess Lakshmi at Koibatpara Sri Sri Lakshmi Temple in Courtgaon Village of Koain Union under Sirajdikhan Upazila in Munshiganj District.<sup>245</sup> Bishops and officials of the churches in Rangpur and Dinajpur were given death threats by criminals. A hand written letter in the name of Atul Roy, son of Gonesh Roy of Uttarpara in Dinajpur District, was delivered to Father M. Barnbas of the Baptist Church in Rangpur, by post. He received the letter on November 26, 2015. In the letter, threats were given to the priests of 10 Christian organisations, including Father M. Barnbas. In the meanwhile on November 25, 2015 Father Karls, Bishop of Birganj Upazila Catholic Church in Dinajpur, was given also death threats through his cell phone.<sup>246</sup> On December 5, 2015 six persons were injured in a bomb blast at a religious gathering at the historical Kantize Mandir in Kahlare under Dinajpur District.<sup>247</sup> In Feni, on December 9, 2015 at midnight, Chhatra League and Jubo League leaders and activists attacked and set fire to Malpara area, which belongs to the Hindu minority community, after failing to get extortion money. Eight

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<sup>240</sup> The daily Prothom Alo, 29/07/2015

<sup>241</sup> Press Statement of Bangladesh Hindu Buddha Christian Oikya Parishad, 06/08/2015

<sup>242</sup> The daily Manabzamin, 19/10/2015

<sup>243</sup> Student wing of Awami League

<sup>244</sup> The daily New Age, 21/10/2015

<sup>245</sup> Report sent by Human Rights Defender associated with Odhikar from Munshiganj.

<sup>246</sup> The daily Manabzamin, 27/11/2015

<sup>247</sup> The daily Prothom Alo, 06/12/2015

persons were injured during this incident. Police arrested Chhatra League leader Nazrul Islam and Jubo League leader Joynal Abedin.<sup>248</sup>

### ***Violence against the Shia Muslim community***

75. On October 24, 2015 at around 1:45 am, five crude bombs were thrown at a large gathering of Shia Muslims as they were preparing to bring out a Tazia rally on the occasion of holy Ashura<sup>249</sup> at Hossaini Dalan area in old Dhaka. Three bombs exploded which caused the death of a 15-year old boy, Sajjad Hossain and about 150 people were injured. One of the injured persons Jamaluddin (55) died in hospital on October 29.<sup>250</sup> On November 27, 2015 criminals attacked a mosque belonging to the Shia Muslim community in Chokkanu Village under Shibganj Upazila in Bogra District. They opened fire at the Shia Muslims there and left. The Muezzin, Moazzem Hossain was killed and the Imam of the mosque, Shahinoor Rahman and Abu Taher and Aftab Uddin were shot and injured.<sup>251</sup> On December 25, 2015 a suicide squad attacked a mosque belonging to the Ahmmadiya community during Jumma prayer in Baghamar Upazila under Rajshahi District, resulting in the death of the bomber and the three injuries of persons, Moyezuddin (40), Shaheb Ali and Nayan (12).<sup>252</sup>

76. It has been observed that the government has failed to ensure safety and security of life and livelihood and places of worship of the citizens belonging to religious minority groups in 2015. Odhikar urges the government to ensure the security of citizens belonging to all minority communities in Bangladesh. Odhikar strongly demands the government to bring all who are involved in the incidents of attacks on minority communities, including the Members of Parliament, before justice.

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<sup>248</sup> The daily Jugantor, 11/12/2015

<sup>249</sup> Ashura is observed as a symbol of "sacrifice and mourning" recalling the martyrdom of Hazrat Imam Hussain Ibn Ali (RA), a grandson of Prophet Hazrat Muhammad (PBUH), in the battle of Karbala on the 10th of Muharram in Hijri 61. On this day Shia Muslims bring out Tazia processions and parade along the main streets.

<sup>250</sup> The daily Prothom Alo and Jugantor, 26/10/2015

<sup>251</sup> The daily Prothom Alo, 28/11/2015

<sup>252</sup> The daily Manabzamin, 27/12/2015

## J. Workers' rights

### *Ready-made garment industries*

77. According to information gathered by Odhikar, 190 workers were injured during workers' unrest in the ready-made garment factories in 2015. Among them, 166 were injured by the police and 24 workers were injured by the garment factory authorities. Besides this, eight were injured by fire, 52 workers were injured in stampedes caused due to panic in factory fires and for other reasons.
78. Garment manufacturing factories are a very large source of revenue for Bangladesh and the factory workers are one of the main contributing factors to this success. However, many factories were closed without notice. This, and sudden termination of workers and not providing wages on time are the main reasons of workers' unrest.
79. On April 16, 2015 the authority of Jabbar Fashion Factory in Fatulla under Narayanganj district, declared the factory shut down and decided to shift it to another location. On April 19, workers of that factory demanded that the factory reopen; and they tried to enter the factory by breaking the locks. Workers became entangled in an altercation with police. Police baton charged and fired on the workers in an attempt to disperse them. At least 10 workers, including seven women – Rehana (19), Parveen (22), Moriam (18), Shiuly (22), Rekha (25), Rozina (22) and Munni (21) were shot and injured.<sup>253</sup> On April 25, 2015 the authority of Cadtex Garment at Katherpool area in Fatulla closed down the factory for an indefinite period. In the morning of April 26, workers gathered to demand that the factory reopen. At one stage they tried to bring out workers from the adjacent factory, and threw brickbats at some other factories. Police reached the spot and tried to control the situation; but workers threw brickbats at police too. Police opened fire to disperse aggressive workers, which resulted in 10 workers being injured.<sup>254</sup>
80. On June 1, 2015, police filed charges against 42 people for having contributed to the collapse of the Rana Plaza factory on April 24, 2013 which killed over 1130 textile factory workers and injured more than 2000 others. Among those charged were the owner of the Rana Plaza complex and government officials, including four government inspectors accused of mass murder for allowing the Rana Plaza building to be transformed into a factory complex and for helping the factory owners to secure factory licenses despite the factory building not meeting minimum safety standards. However, under Bangladeshi law, government ministries must give their approval in

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<sup>253</sup> Report sent by human right defender associated with Odhikar from Narayanganj.

<sup>254</sup> Report sent by human right defender associated with Odhikar from Narayanganj.

order for their employees to be prosecuted, and in this case the ministries refused to approve the charges against the four inspectors. On July 8, 2015, Senior Judicial Magistrate, Mohammad Shahinur Rahman, ordered the Bangladeshi government to allow the case against the four inspectors to move ahead, and gave the prosecution until 18 August to resubmit the charges against the inspectors. This decision by the court is an important step towards ending impunity for violations of workers' rights and ensuring that victims of the Rana Plaza disaster are given some form of justice. However, while this decision contributes to accountability and rule of law in Bangladesh, violations of workers rights are still rarely investigated or prosecuted. For example, violations of factory safety standards are still widespread, and the government has largely failed to take appropriate action to bring those responsible to justice. In addition to violations of factory standards, there is ongoing targeting of trade union activists and workers who organise to protect their rights, which also takes place with impunity.<sup>255</sup>

81. Odhikar believes that the workers need to be brought under well planned and executed security programmes and it demands the government take necessary measures to build the infrastructure of the factories systematically with sufficient facilities and job security and guarantees. Odhikar further urges the industrial police to cease harassment of worker's representatives and unions and allow all workers to exercise their rights to collective action, and urge factory owners to pay pending salaries and bonuses to all workers.

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<sup>255</sup> See <http://odhikar.org/joint-statement-bangladesh-rana-plaza-prosecution-by-fidh-and-odhikar/>

## K. Violations of migrant rights

82. On May 1, 2015 Thai security forces recovered 32 mass graves of Bangladeshi and Myanmar citizens from a jungle in Sadao District under the Shongkhal Province of Thailand, along the Malaysian border. It is believed that the deceased were travelling to go abroad by sea as illegal migrant workers. At the same time, they also found some abandoned camps where migrants were detained by their traffickers. It was leant that more than 10 thousand poor Bangladeshis and citizens belonging to the Muslim minority Rohingya population of Myanmar, enter Malaysia for work through this notorious human trafficking route.<sup>256</sup> Syndicates of human traffickers from Bangladesh, Myanmar, Thailand and Indonesia have also been trafficking poor citizens of Bangladesh and Myanmar by luring them with jobs in Malaysia.<sup>257</sup> On May 16, 2015 at least 104 people died in a clash amongst migrants for food on a boat floating near a Malaysian beach.<sup>258</sup> Furthermore, on May 24 and 25, 139 more graves of victims of human trafficking were marked in 17 camps in villages and towns under Perlis Province in Malaysia.<sup>259</sup> About five thousand people from Sirajganj, Satkhira, Bhola, Banskhalia of Chittagong and Kurigram, who were travelling to Malaysia with human traffickers, are still missing.<sup>260</sup>

83. In 2015, the economic disparity of Bangladesh reached the highest level due to the creation of two classes – extreme rich social strata and the ultra poor – in the country. As a result, many people belonging to the ultra poor were forced to take life risks and sacrificed their lives or were detained in foreign prisons due to illegal human traffickers. Thus, it is very important to create a stable socio-economic system without any discrimination between the rich and poor. Odhikar urges the government to ensure food and work for all people by taking into consideration the huge numbers of people leaving the country; and reduce the disparity between rich and poor.

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<sup>256</sup> The daily Bangladesh Protidin, Prothom Alo and Manabzamin, 02/05/2015.

<sup>257</sup> The daily Prothom Alo, Jugantor, 02/05/2015.

<sup>258</sup> The daily Jugantor, 18/05/2015.

<sup>259</sup> The daily Prothom Alo, 29/05/2015.

<sup>260</sup> The daily Manabzamin, 14/05/2015.

## L. Inhuman and cruel treatment of children

84. In 2015, many children were killed and injured as a result of inhuman treatment. Mainly children from the poor families became the victims of violence. Among the incidents, some were tried in the Speedy Tribunal.
85. On July 8, 2015 13-year old Samiul Alam Rajon was beaten to death on suspicion of stealing a rickshaw van. The perpetrators also videoed the incident which was later circulated on the internet. It was learnt that the rickshaw van owner, Muhit Alam and his brother Kamrul Islam took Rajon to Kumargaon bus stand and beat him for three hours. After Rajon's death, they tried to hide his body. Local people apprehended Muhit Alam with the dead body and handed him over to Jalalabad Police Station.<sup>261</sup> Another culprit Kamrul Islam escaped to Saudi Arabia on July 10 after giving a six hundred thousand taka bribe to the Officer-in-Charge of Jalalabad Police Station and Sub Inspector (SI) Aminul. The Saudi Arabian police later arrested Kamrul and deported him to Bangladesh.<sup>262</sup> The trial took place at the Sylhet Metropolitan Session Judges Court and the Court declared the verdict on November 8, 2015. The Judge Akbar Hossain Mridha sentenced four persons, including the prime accused Kamrul Islam to death. On August 2, 2015 a 12-year old boy, Shakil Kazi was tied to a tree and beaten over allegations of stealing, in Malipara village under Boraigram Upazila in Natore District. On July 31, 2015 some local influential men, including Saidur Islam, attacked Shakil under instructions from Rabiul Karim, for stealing from the grocery shop of Bulbul Hossain of the same village. However, the victim family could not file a case in fear of the influential people; nor did they dare to take Shakil to hospital for treatment.<sup>263</sup> On August 3, 2015 a 12-year old boy, Mohammad Rakib Howlader was killed in the car workshop 'Sharif Motors' at Tutpara Central Road in Khulna. A high-pressure air pump nozzle had been inserted into his anus and switched on. Rakib's intestines tore and his lungs burst as air filled his abdomen. Rakib's father Nurul Alam filed a case against workshop owner Oram Sharif, his staff Mintu Khan and Beauty Begum, the mother of Omar Sharif. On November 8, Dilruba Sultana, the Acting Judge of Khulna Metropolitan Session Judges Court, gave two accused persons the death penalty and acquitted one.<sup>264</sup> On August 17, 2015 Raja Mia (17) was allegedly beaten to death by Hazaribagh Thana unit Chhatra League President, Arzu Mia and his associates, over allegations of stealing a cell phone and a laptop, in Hazaribagh, Dhaka.<sup>265</sup> On March 11, 2015 at around 11:00 am, Abu Sayeed, a student

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<sup>261</sup> The daily Manabzamin, 13/07/2015 and report sent by human rights defender associated with Odhikar from Sylhet.

<sup>262</sup> The daily Jugantor, 28/07/2015

<sup>263</sup> The daily Prothom Alo, 06/08/2015

<sup>264</sup> Report sent by human right defender associated with Odhikar from Khulna

<sup>265</sup> The daily Jugantor, 18/08/2015

of class IV in Shahi Eidgah Hazrat Shahmeer Government School, was kidnapped on the way to his maternal uncle's house in Rainagar, Sylhet. The kidnappers demanded a ransom of five hundred thousand takas. His family could only agree to give two hundred thousand takas. But the kidnappers killed Sayeed because his father told the police. Police arrested Constable Ebadur Rahman; General Secretary of Olama League<sup>266</sup>, Abdur Rakib; and RAB informer Geda Mia for their involvement in this incident.<sup>267</sup> On December 24, 2015 two children named Aklima Akhter (15) and Maruf Hossain (6) were shot dead when Swapon Chowdhury, Shahed Chowdhury, Mithu Chowdhury, Manna and their hired criminals attacked their rival Mainuddin's house over a land related dispute in Uttar Charipur area of Mahipal in Feni.<sup>268</sup>

86. Odhikar expresses grave concern over the incidents of inhuman and cruel treatment against children across the country. It is also important to conduct independent and impartial investigation regarding the role of the members of law enforcement agencies in the area before and after each incident of killing. Odhikar strongly demands that the government brings the perpetrators, involved in crimes against children, to justice.

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<sup>266</sup> A religious wing of Awami League

<sup>267</sup> Report sent by human right defender associated with Odhikar from Sylhet.

<sup>268</sup> The daily Manabzamin, 27/12/2015

## M. Violence against women

87. Violence against women is widespread in Bangladesh. Odhikar believes that women are being victimized mainly due to a patriarchal norms and practices; biased laws; lack of implementation of laws; lack of victim and witness protection; corruption and criminalisation of the members of law enforcement agencies; impunity of the ruling party activists; economic instability; and weak administration. Since the perpetrators of violence against women escape punishment due to various reasons, potential violators are encouraged and incidents of violence increase.

### *Dowry-related violence*

88. According to Odhikar documentation, between January – December 2015, 202 women were subjected to dowry violence. Of these women, 119 were killed and 77 were physically abused in various other ways for dowry demands and six women allegedly committed suicide.

89. On January 6, 2015 a housewife named Anwara was beaten to death by her husband Rabiul Islam and her in-laws, over dowry demands amounting to 70 thousand takas, in Dimla Upazila under Nilphamari District. The perpetrators fled after leaving her body at the hospital.<sup>269</sup> On February 4, 2015 a housewife named Ruba (35) was strangled to death by her husband Alam over dowry demands in Munshipara area under Thakurgaon District. Alam threw Ruba's body in a septic tank from where it was recovered by police.<sup>270</sup> On March 9, 2015 a housewife named Ramedia (24) was killed by her husband Sumon for 30 thousand taka dowry in Kamalnagar Upazila under Laxmipur District.<sup>271</sup> On April 13, 2015 at night, a housewife named Malika Rani (20) was killed by her husband Sudhangshu and his family over dowry demands in Phulbari Upazila under Dinajpur District. On May 16, 2015 a housewife named Reshma Khatun (26) was beaten to death by her husband Azizul Islam over dowry demands in Kushkhali village under Satkhira District. Police arrested Azizul.<sup>272</sup> On June 5, 2015 a housewife named Lata Monica (20) was strangled to death over dowry demands of 30 thousand taka and her body was allegedly hung from a ceiling fan, in Elahinagar under Sonargaon Upazila in Narayanganj District.<sup>273</sup> On July 17, 2015 a housewife named Sukhi Akhter (26) of Zinjira in Birulia Union of Savar, Dhaka, was severely injured by her husband and in-laws, as her father could not pay one hundred and fifty thousand taka as dowry. Sukhi Akhter's husband Rabiul Islam gouged her

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<sup>269</sup> The daily Jugantor, 07/01/2015

<sup>270</sup> Report sent by human right defender associated with Odhikar from Thakurgaon

<sup>271</sup> The daily Jugantor, 11/03/2015

<sup>272</sup> The daily Naya Diganta, 18/05/2015.

<sup>273</sup> The daily Naya Diganta, 09/06/2015



right eye out and stabbed the other eye with a screw driver, leaving her blind.<sup>274</sup> On September 8, 2015 a housewife named Sabina Yeasmin (26) and her daughter Ayesha Siddiqui (2) were strangled to death by her husband Rauf over a dowry demand of 50 thousand taka, in Tarali Village under Kaliganj Upazila in Satkhira District. Raouf later fled the scene.<sup>275</sup> On October 2, 2015 a housewife named Rima Akhter (22) was allegedly strangled to death by her husband Jahangir over dowry demands, at Tekpara area in Nilokkha Union under Raipura Upazila in Norshingdi District.<sup>276</sup> On November 5, 2015 the eyes of a housewife named Sheuly Akhter were gouged out with a knife by her husband Jewel; and she was locked inside the home. She was beaten by her drug-addict second husband, who wanted the property she would get from her first husband.<sup>277</sup>

### ***Sexual harassment and stalking***

90. In the period between January to December 2015 a total of 191 girls and women were sexually harassed. Among them, eight were committed suicide, seven were killed, 14 were injured, 25 were assaulted, two were abducted, and 135 were sexually harassed in various ways. Four men were killed, 91 men were injured and one woman was killed, eight were injured and one was assaulted by the stalkers when they protested against such acts.
91. On January 15, 2015, one Saiful Islam and his daughter Ankhi Akhter (14) were stabbed to death by criminals due to refusal of a marriage proposal, in the North Salna area of Porabari in Gazipur. Saiful's wife Hasina Begum said that Monir Hossain, a resident of Nanduin area, was involved into this incident.<sup>278</sup> In the night of January 20, 2015 Nahid Choiyal (20) tried to physically assault an adolescent girl, Nahida Akhter (17), at a wedding in Dinara Village under Noria Upazila in Shariatpur District. The family members of Nahid and the neighbours rebuked Nahida Akhter, instead of stopping Nahid. In shame, Nahida Akhter committed suicide on January 21, 2015.<sup>279</sup> On April 14, 2015 on the occasion of Pohela Boishakh (Bengali New Year), criminals sexually harassed women in front of the gate of Suhrawardy Udyan<sup>280</sup> on Dhaka University campus. The incidents became known to public when some women

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<sup>274</sup> The daily New Age, 21/07/2015

<sup>275</sup> The daily New Age, 09/09/2015

<sup>276</sup> The daily Prothom Alo, 03/10/2015

<sup>277</sup> The daily Prothom Alo, 7&8/11/2015

<sup>278</sup> The daily Jugantor, 16/01/2015

<sup>279</sup> The daily Prothom Alo, 22/01/2015

<sup>280</sup> Suhrawardy Udyan, adjacent to Dhaka University campus formerly known as Ramna Race Course ground is a national memorial located in Dhaka, Bangladesh. It is named after Hussain Shaheed Suhrawardy. Originally it served as the military club of the British soldiers stationed in Dhaka. It was then called the Ramna Race Course and later Ramna Gymkhana. After the end of colonial rule, the place – sometimes referred to as *Dhaka Race Course* – was used for legal horse racing.

were rescued by Dhaka University unit President of Bangladesh Chhatra Union,<sup>281</sup> Liton Nandi and others, from the hands of the attackers; and when some of the perpetrators were also revealed from the recordings of the CCTV cameras in the area. The police were inactive during the incident and even set five criminals free.<sup>282</sup> On April 14, 2015 some female students of Jahangirnagar University were returning to their residential hall after celebrating Pohela Boishakh. On the way to their dormitory, five Chhatra League activists, Nishat Imtiaz Bijoy; Nafiz Imtiaz; Rakib Hassan; Abdur Rahman Ifti; and Nurul Kabir stopped them at Chourangir Mor and took away a female student belonging to the ethnic minority community. They tried to rape her and snatched away her bag and cell phone.<sup>283</sup> On May 9, 2015 Sathi, a student of class IX of Charmunduria Girls High School and daughter of Chand Ali of Putia village under Rashti Union in Madaripur district, committed suicide after being sexual harassed by Shaon, son of Motaleb Hawlader of the same village.<sup>284</sup> On August 19, 2015 Khushi Begum was beaten to death by criminals for protesting against acts of sexual harassment towards her daughter in Bhatara Village under Tarash Upazila in Sirajganj District.<sup>285</sup> On September 5, 2015 a criminal named Badsha beat and injured a college student as she refused his proposal of love, at Demra area in Dhaka. Police arrested two stalkers in this regard.<sup>286</sup> On November 7, 2015 a female student tried to commit suicide after being assaulted by three stalkers Tufan, Chhantu and Wahidul of Polashbaria Village in Mohammadpur Upazila under Magura District.<sup>287</sup> On December 10, 2015 some youths named Dipu, Taher, Rakib, Ashu and Lal Mia were stalking a girl student of class V. The stalkers strangled her father Ainuddin to death when he protested.<sup>288</sup> On December 25, 2015 Shuvra Mahmuda, a second year student of English Literature, was stabbed and injured by a group of criminals, led by Mirpur Bangla College unit Chhatra League President, Mojibur Rahman Anik, as she refused his love proposal.<sup>289</sup>

## ***Rape***

92. In 2015, a total number of 789 females were reportedly raped. Among them, 293 were women, 479 were children below the age of 16 and the age of 17 victims could not be determined. Of the women, 32 were killed after being raped, 141 were victims of gang rape and two committed suicide. Out of the 479 child victims, 33 children were

<sup>281</sup> Student wing of the Communist Party of Bangladesh

<sup>282</sup> The daily Manabzamin and Prothom Alo, 16/04/2015

<sup>283</sup> The daily Manabzamin, 17/04/2015

<sup>284</sup> Report sent by human right defender associated with Odhikar from Madaripur.

<sup>285</sup> The daily Jugantor, 20/08/2015

<sup>286</sup> The daily Manabzamin, 06/09/2015

<sup>287</sup> The daily Jugantor, 08/11/2015

<sup>288</sup> The daily Naya Diganta, 12/12/2015

<sup>289</sup> The daily Manabzamin, 27/12/2015

killed after being raped, 131 were victims of gang raped and three children committed suicide. Furthermore, 97 women and girls were victims of attempted rape.

93. On January 3, 2015, an 11-year old girl was killed after being raped by criminals in Kahetergaon Village of Borochema Union under Monohardi Upazial in Narshingdi District.<sup>290</sup> On January 19, 2015 police recovered the body of a woman who's hands were tied and clothes bloodstained, from a jungle under Koshba Upazila in Brahminbaria District. Police suspected that the woman was killed after being raped.<sup>291</sup> On March 9, 2015 a girl student of class X, belonging to an ethnic minority community, was returning home with Manosh Kanti Chakma and Sujon Jyoti Chakma after attending a religious event in Dhighinala under Khagrachhori Hill District. Kobakhali Union unit Chhatra League President Mohammad Sohel; Dighinala Upazila unit Motshyajibi League<sup>292</sup> General Secretary Mohammad Shohag; Publicity Secretary Mohammad Saiful Islam; and Finance Affairs Secretary Mohammad Amir Hossain surrounded them and took the girl to Kobakhali Bazar and raped her.<sup>293</sup> On April 16, 2015 a man named Erfan Ali and 7-8 of his associates raped two college students, at gun point, when they were at Ulipur Bazaar to buy books in Ulipur under Kurigram District. The rapists took their cell phones and money. Police arrested three men named Erfan, Atiq and Nogen.<sup>294</sup> On May 11, 2015 at night, a female garment worker was gang raped by some men, including bus driver Chandu Mia and his helper Rubel, on a moving bus in Charkamaldi area under Sonargaon Upazila in Narayanganj District.<sup>295</sup> On May 21, 2015 at around 9:00 pm, two youths named Ashraf Khan alias Tushar (32) and Zahidul Islam alias Lavlu (26) picked up a 22-year old woman belonging to the ethnic minority Garo community, from in front of Sinha CNG Motors at Kuril Biswa Road, Dhaka and raped her in a running microbus.<sup>296</sup> On June 10, 2015 Kabir Mia, a resident of Dirai Upazila under Sunamganj District and his wife, hired a room at the Sunlight Residential Hotel at Jagannathpur town in Sunamganj. At around 11:00 pm, a criminal named Selon Mia and 4-5 youths entered their room and raped his wife after tying up Kabir Mia at gun point.<sup>297</sup> On July 11, 2015 at around 10:00 pm, a 24-year old disabled woman was gang-raped by some youths in Singhra Kheyaghat area under Chitalmari Upazila in Bagerhat District. The criminals left her in an isolated area after the rape.<sup>298</sup> On August 23, 2015 a housewife belonging to the ethnic minority community was raped by Awami League activist

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<sup>290</sup> The daily Amader Shomoy online, 06/01/2015

<sup>291</sup> The daily Jugantor, 20/01/2015

<sup>292</sup> Fishermen wing of Awami League

<sup>293</sup> The daily Manabzamin, 11/03/2015

<sup>294</sup> The daily Jugantor, 17/04/2015

<sup>295</sup> Report sent by human right defender associated with Odhikar from Narayanganj

<sup>296</sup> The daily Jugantor, 23/05/2015.

<sup>297</sup> The daily Manabzamin, 15/06/2015

<sup>298</sup> The daily Manabzamin, 13/07/2015

Mukul Hossain, while she was taking a break after working in a paddy field at Ziupara Bilmaria Lake, under Puthia Upazila in Rajshahi District.<sup>299</sup> On September 11, 2015 a student of class five, belonging to the Hindu community, was raped by Kagapasha Union unit Jubo League leader Shamsul Alam Chowdhury, in Kagapasha Village under Baniachong in Habiganj District.<sup>300</sup> On October 10, 2015 at around 6:00 pm, a Madrassa student named Smrity was killed after being raped by a group of criminals, when she returned home from the Madrassa, in Dharmoganj area under Fatulla Police Station in Narayanganj District. Police arrested college students Ibrahim (18), Nahid (19) and Kausar (22) on suspicion.<sup>301</sup> On December 10, 2015 a criminal named Habibur Rahman raped a girl student of class IV, in Langalbandh area under Bandor Upazila in Narayanganj District. Later, the girl committed suicide.<sup>302</sup>

### *Acid violence*

94. According to information gathered by Odhikar, between January – December 2015, it was reported that 47 persons became victims of acid violence. Of them, 29 were women, 10 were men, seven were girls and one was a boy.
95. On January 15, 2015 a youth named Mohammad Shamim threw acid at a second year female student of Ishwarganj Girls College in Mymensingh due to her refusal of his proposal of love. Her forehead and one eye were burnt with the acid.<sup>303</sup> In the night of March 11, at around 1:00 am, two or three criminals managed to enter a home and throw acid on a SSC examinee Tahmina Akhter in Joyrampur village under Habiganj Sadar Upazila.<sup>304</sup> On April 14, 2015 at midnight, criminals threw acid on Sumaiya Akhter, a student of class III and her elder sister Jhumur Khan in Goretddar Village of Baishali Union under Banaripara Upazila in Barisal.<sup>305</sup> In the early morning of May 9, 2015 a local criminal named Rothin and his associates threw acid on Ankhi Bagchi, a second year student of HSC<sup>306</sup> as she refused a love proposal, in Tudamandra Village under Gopalganj District. Her face and hands were burnt.<sup>307</sup> On June 13, 2015 a garment worker named Parvin was burnt with acid by members of her in-laws in Agoiljhora Upazila under Barisal District.<sup>308</sup> On July 6, 2015 criminals threw acid on a housewife named Sumita Rani Das through her window when she was sleeping at

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<sup>299</sup> The daily Jugantor, 25/08/2015

<sup>300</sup> The daily Manabzamin, 13/09/2015

<sup>301</sup> Report sent by Human Rights Defender associated with Odhikar from Narayanganj.

<sup>302</sup> The daily Manabzamin, 12/12/2015

<sup>303</sup> The Prothom Alo, 19/01/2015

<sup>304</sup> The daily Prothom Alo, 13/03/2015

<sup>305</sup> The daily Prothom Alo, 13/04/2015

<sup>306</sup> Higher Secondary School Certificate.

<sup>307</sup> The daily Manabzamin, 10/05/2015.

<sup>308</sup> The daily Jugantor, 15/06/2015

her home in Boktarpur Village under Kaliganj Upazila in Gazipur District.<sup>309</sup> On August 5, 2015 criminals threw acid on Mukul Mia, who had filed a case against five police officers, including the Officer-in-Charge of Gobindaganj Police Station, for attempted sexual harassment on his wife. A large portion of his chest and back was burnt.<sup>310</sup> On October 5, 2015 one Mohon Mia (20) allegedly threw acid on Sukhi Akhter, a first year student of Sunamganj Government College in Sunamganj Village under Jamalganj Upazila in Sunamganj District. Mohon Mia often used to stalk Sukhi Akhter. He was arrested.<sup>311</sup> On November 13, 2015 at night, a group of criminals threw acid on housewife Nargis Akhter (35) through the window of her home, over a land-related dispute, in Joynandat Village under Kaharole Upazila in Dinajpur District. Nargis Akhter's face and some portion of her body were burnt.<sup>312</sup> On December 1, 2015 a housewife named Kohinur Begum was burnt when her husband Abdul Quddus threw acid on her while she was sleeping at home in Guarokha Village under Nesarabad Upazila in Pirozepur District.<sup>313</sup>

96. Incidents of acid throwing are occurring due to lack of implementation of the Acid Crimes Prevention Act 2002 and the Acid Control Act 2002 and the Prevention of Repression against Women and Children Act 2000, as well as ineffective investigation and a weak criminal justice system.

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<sup>309</sup> The daily Naya Diganta, 08/07/2015

<sup>310</sup> The daily Jugantor, 08/08/2015

<sup>311</sup> The daily Manabzamin, 09/10/2015

<sup>312</sup> The Daily Star, 15/11/2015

<sup>313</sup> The Daily Star, 02/12/2015

## **N. Repressive and Controversial Laws Drafted in 2015**

### ***Approval of draft Mobile Court (amendment) Act 2015***

97. On June 22, 2015 the Cabinet approved the ‘Mobile Court (amendment) Act 2015’ by increasing the authority of the mobile courts. If the Law is passed, the power of the mobile courts, staffed by the Executive Magistrates, will increase. Under Bangladesh’s criminal justice system, as in most countries, substantial evidence and statements of the witnesses need to be taken even if the accused does not confess to the offense. Furthermore, the provision of using information technology has also been included in the proposed amendment. The present mobile courts can only punish if the accused persons acknowledge their crime. It is to be noted that the Mobile Court Act was enacted in 2009 after giving a declaration of the separation of the Judiciary from the Executive.<sup>314</sup>
98. In the past, incidents of instant punishment have occurred through mobile courts, after police arrested innocent passers-by. Odhikar believes that there will be an immense possibility of misuse of this law in the power of the present mobile courts is increased. Giving punishment through the mobile courts is contrary to fundamental rights, because there is no scope for defending oneself.

### ***Draft repressive law on internet usage***

99. Apart from the repressive Information and Communication Technology Act 2006, the government has taken an initiative to enact another rigid law on internet usage. In the draft law, the maximum punishment will be 20 years of imprisonment and the accused can be arrested without any warrant. It is said in the proposed draft law, that police can take any necessary measure, including breaking doors and windows, in order to seize computers of the accused persons. Furthermore, any offense relating to the crimes committed outside the territory of Bangladesh can be tried in the domestic court.<sup>315</sup>

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<sup>314</sup> The daily Prothom Alo, 23/06/2015

<sup>315</sup> The daily Prothom Alo, 15/06/2015

## **O. Hindrance to Human Rights, Rule of Law and Social Activities**

### ***Activities of Odhikar hindered***

100. The National Press Club authority abruptly cancelled a programme, which was scheduled to be held at the National Press Club auditorium on 30 August 2015 on the occasion of the International Day of the Victims of Enforced Disappearances, to remember all those who have been disappeared and to show solidarity and support to their families. The programme was to be jointly organised by members of the families of the disappeared, the Asian Federation against Involuntary Disappearances (AFAD), the Asian Legal Resource Centre (ALRC), the International Federation for Human Rights (FIDH) and Odhikar. On July 11, 2015 Odhikar booked the Press Club auditorium and also paid the hall rent. At 5:20 pm on 29 August, Odhikar received a phone call from an employee of the National Press Club that, as per the instructions of the General Secretary, the Club was cancelling its permission; and would not allow Odhikar to host the programme at their premises. Odhikar also received information that a few victim families who were supposed to attend the programme had been threatened over the telephone and told not to participate. On August 30, 2015 law enforcement agencies in various districts also inquired about local human rights defenders who are associated with Odhikar; and advised them not to conduct any programmes in relation to the International Day of the Victims Enforced Disappearance. On November 25, 2015 during the UN International Day against Violence against Women, local level human rights defenders associated with Odhikar in Madaripur and Thakurgaon, were accosted and obstructed by police when they were holding programmes on the issue of violence against women.

101. Odhikar, as a human rights organisation, has faced the government's ire during various regimes, for being vocal against human rights violations and for campaigning to stop them. However, the present Grand Alliance government, led by the Awami League, after assuming power in 2009, started harassment on Odhikar for its reports on the human rights situation of the country. The government's intimidation reached a peak as on August 10, 2013 Odhikar's Secretary Adilur Rahman Khan was picked up by persons claiming to be from the Detective Branch (DB) of police, for publishing a fact finding report on extrajudicial killings during a rally organised by the religious group Hefazate Islam on May 5-6, 2013. The police, at first, denied detaining him. Later Adilur Rahman Khan and Odhikar's Director ASM Nasiruddin Elan, were charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were in jail custody and later, Adilur and Elan were

released on bail after spending 62 and 25 days in prison respectively. Since then Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies. Moreover, grassroots human rights defenders who are associated with Odhikar are being watched and sometimes harassed and human rights activities hindered.

102. The NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office, has barred the release of all project related funds of Odhikar, for two years, in order to stop its human rights activities. The Organisation is still operating with the services of the human rights defenders associated with Odhikar at the grassroots level and their commitment to human rights activism. As a human rights organisation, it is Odhikar's duty to highlight human rights violations and take appropriate action and measures to prevent future violations. The Government intimidation and harassment of Odhikar and its staff members continues unabated hampering Odhikar's activities.

### ***Police Headquarters criticise Odhikar, BAMAK and ASK's human rights reports***

103. On August 1, 2015 Odhikar and Bangladesh Human Rights Commission (BAMAK) released separate monthly human rights reports on 'extrajudicial killings'. The Bangladesh Police Headquarters issued a press statement in Bangla titled "Police did not commit extrajudicial killings: statements of Odhikar and BAMAK are unlawful; only subversive campaigns", and sent it to the media on August 2. In this, the Police Headquarters stated that the statements of the two organisations – Odhikar and BAMAK – on 'Extrajudicial Killings' are contrary to existing laws of Bangladesh, which is tantamount to challenging rule of law and the judicial system. In its media release, the Police Headquarters also mentioned that it has been noticed that there is a similar attempt in Bangladesh to act as the 'Fifth Column' in Spain. It went on to claim that reports of various foreign funded organisations are making this country's law enforcement and judicial systems look controversial in the eyes of the world. This has a negative impact on Bangladesh's reputation, foreign investment and political and other issues; and may be considered as subversive activities. Odhikar refutes this claim of the Police. Human rights organisation Odhikar has been working to establish rule of law and put an end to impunity in Bangladesh for over 20 years. Extrajudicial killings contravene rule of law. Incidents of extrajudicial killings are occurring and such allegations are regularly made by the victim families. There are also incidents where police threaten to kill arrestees in 'crossfire' in order to extract 'confessions'. Odhikar gathers such evidences from reports published in different national dailies



and information sent by human rights defenders from the field; and releases its reports after compiling such information.

104. On September 30, 2015 human rights organisation, Ain O Salish Kendra (ASK) sent its human rights report to the media. On October 1, 2015, an ASK report titled “148 persons killed in Police-RAB custody in 9 months” was published in the daily Jugantor. The Police Headquarters on October 2, 2015 stated in a press release that the statement of this NGO was incorrect, contradictory and tantamount to a destructive campaign. The press release also said that blaming police is tantamount to challenging the laws of the country and that blaming the police ‘unlawfully’ is considered defamatory.<sup>316</sup>

### ***Government blasts TIB for publishing report on the 10th Parliament***

105. On October 25, 2015 Transparency International Bangladesh (TIB) published a report on monitoring the second and sixth parliamentary sessions of the 10<sup>th</sup> National Parliament. On October 26, the ruling party Chief Whip ASM Firoze and Whip Iqbalur Rahim criticised TIB’s report at a press conference in the media centre of the Parliament. The Chief Whip ASM Firoze said in the conference that Transparency International Bangladesh was working as a part of an international conspiracy to make the country and parliament a failure. He said it had been working as a paid organisation of a syndicate.<sup>317</sup> He questioned the authority that allowed TIB to make such comments on the National Parliament and said that people want to know the source of TIB funding and that its source of funds had to be investigated.<sup>318</sup>

### ***New provisions to the Foreign Donations (Voluntary Activities) Regulation Ordinance 1978 against anti-government remarks***

106. On November 17, 2015 a Parliamentary Sub-committee recommended the incorporation of provisions into the Foreign Donations (Voluntary Activities) Regulation Ordinance 1978 for taking action against Non-Governmental Organisations (NGOs) for making derogatory remarks about the State, Parliament or the Constitution. The Sub-committee on the Parliamentary Standing Committee on the Ministry of Law, Justice and Parliamentary Affairs made the decision at a meeting with its Chairman Suranjit Sengupta, while scrutinising a Bill that sought amendment

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<sup>316</sup> The daily Jugantor, 02/10/2015

<sup>317</sup> The daily Prothom Alo, 27/10/2015

<sup>318</sup> The daily Prothom Alo and Manabzamin, 27/10/2015

to the 1978 Ordinance.<sup>319</sup> It is to be mentioned that on October 25, 2015 Transparency International Bangladesh (TIB) published ‘Parliament Watch’, a monitoring report on the second and sixth parliamentary sessions of the 10<sup>th</sup> National Parliament and compared the Parliament to a ‘puppet theatre’. Since then, the Parliamentary Standing Committee on the Ministry of Law, Justice and Parliamentary Affairs had been working to cancel TIB’s registration.<sup>320</sup>

### ***Child rights activists arrested***

107. On September 12, 2015 police entered a house and arrested four activists of a voluntary organisation ‘Adommo Bangladesh Foundation’ that provided shelter to homeless and street children. Police claimed that Arifur Rahman (24), Hasibul Hasan (19), Zakia Sultana (19) and Firoze Alam (21) were arrested under allegations of trafficking 10 children; and were taken into remand. Police also brought the children to the police station from a house located at Banashree in the Rampura area of Dhaka. Police filed a case with Rampura Police Station against the four child rights activists. The arrestees claimed that they were working for the rehabilitation of street children with the approval of the government. After taking the children to the police station, they said they were homeless and living at Sadarghat Launch Terminal and Kamalapur Rail Station. They learnt how to write and read and now had better food and shelter.<sup>321</sup> On January 29, 2014 ‘Adommo Bangladesh Foundation’ was registered as a voluntarily organisation and is involved in various welfare activities for the children, including giving them primary education, distribution of warm clothes during winter and entertainment; and it had rented a flat at Banashree in December 2014 to make a shelter home for homeless children.<sup>322</sup>

108. The present government has taken very strong position against voluntary organisations, especially those that focus on civil and political rights. Statements from the Police Headquarters and recommendations for incorporating new provisions into the Foreign Donations (Voluntary Activities) Regulation Ordinance 1978 are the reflection of this position. Human rights organisations, which are vocal against violations of civil and political rights, have been working to establish rule of law in Bangladesh and to stop the culture of impunity. Odhikar believes that such statements from the Police Headquarters and recommendations from the Parliamentary Standing Committee on the Ministry of Law, Justice and Parliamentary Affairs, are unacceptable and intimidating and tantamount to gag dissenting voice of human rights

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<sup>319</sup> The daily New Age, 18/11/2015

<sup>320</sup> The daily Manabzamin, 19/11/2015

<sup>321</sup> The daily Prothom Alo, 13/09/2015

<sup>322</sup> The daily Manabzamin, 20/09/2015

organisations, victims of human rights abuses and their families, violating freedoms of speech and assembly. Furthermore, such activities are contrary to the Universal Declaration of Human Rights; International Covenant on Civil and Political Rights; and the UN Declaration on Human Rights Defenders.

## Recommendations

Odhikar believes that ‘democracy’ is a form of the State and that freedom and human rights are its foundations. Democracy is not merely a process of exercising franchise; it is the result of the peoples’ struggle for inalienable rights, which become the fundamental premise to constitute the State. Therefore, individual freedoms and democratic aspirations of the citizens - and consequently, peoples’ collective rights and responsibilities - must be the foundational principles of the State. Thus far the Bangladeshi state failed to acknowledge this. It is important to ensure people’s realisation and participation as ‘citizens’ in all sectors of the functioning of the state. Otherwise the government and state machinery cannot be ‘democratic’.

The democratic legitimacy of the State is directly related to its willingness, commitment and capacity to ensure human rights, dignity and integrity of citizens. The conflict is created due to the failure to ensure rule of law and human needs, in the decision-making process.

### ***Odhikar presents the following recommendations to overcome the current situation:***

1. In order to restore democracy and the voting rights of the people an accountable government must be established through free fair and inclusive elections, under a neutral interim government; and initiatives must be taken to mend dysfunctional institutions through an elected government.
2. Political violence must be stopped. The Government should take unbiased and effective legal action against all criminals, including criminal activities perpetrated by its own activists. All political parties must come to a consensus to curtail violence and confrontational politics and stop the culture of ‘blame games’ when violence occurs; and ensure punishment of the perpetrators, as provided under the law.
3. Incidents of extrajudicial killings by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. Extrajudicial killings in the name of ‘crossfire’ or ‘gunfight’ should be stopped.
4. The law enforcement agencies must follow the international guidelines “Basic Principles on the use of Force and Firearms by Law Enforcement officials and the UN Code of Conduct for Law Enforcement officials”. Furthermore, accountability of all members of the law enforcement agencies must be ensured and the government should take appropriate measures to stop the impunity they enjoy.

5. Torture and ill-treatment in the custody of law enforcement agencies must be stopped. The Government should ratify the Optional Protocol to the UN Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013.
6. The Government has to explain all incidents of enforced disappearance and killings allegedly perpetrated by law enforcement agencies. The Government must bring the members of the security and law enforcement forces who are involved in the incidents of enforced disappearance and killing to justice. The Government should accede to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN on December 20, 2006.
7. The Government should refrain from attacking peaceful public events and from carrying out repressive, unconstitutional activities. Arbitrary and mass arrests and human rights abuses in prisons must be stopped.
8. Freedom of opinion and expression and of the media must be ensured. The Government should investigate incidents of attacks on human rights defenders and journalists; and take appropriate measures to bring the perpetrators to justice. The ban on the publication of the daily Amar Desh and the broadcasting of Diganta TV, Islamic TV and Channel One should be removed. The detained Acting Editor of the daily Amar Desh, Mahmudur Rahman should be released.
9. Attacks and repression on minority communities must be stopped. The Government should take all measures to protect the rights of the citizens belonging to all minority communities and ensure their security.
10. The Government should protest strongly killing of Bangladeshi citizens by the BSF and take initiatives to investigate and make the Indian Government accountable and compensate the families of the victims. The Government should also ensure the safety and security of the Bangladeshi citizens residing along the border areas.
11. Ready-made garment factories need to be brought under secured structures with adequate safety measures. Human rights violations, including arbitrary and illegal termination of workers, non-payment of due wages and harassment by Industrial Police against readymade garment factory workers must be stopped.
12. The Government must ensure effective and proper implementation of the existing laws to put an end to violence and inhuman treatment against children and also ensure punishment of the perpetrators in fair trial.

13. The Government must ensure the effective implementation of laws to stop violence against women and the offenders must be effectively punished under the prevalent laws. The Government should also execute mass awareness programmes in the print and electronic media in order to eliminate violence against women.
14. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 & 2013) and the Special Powers Act, 1974 must be repealed.
15. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. All repressive measure and harassment against human rights defenders associated with Odhikar should be stopped. The government must release the funds of Odhikar urgently to enable it to continue its human rights activities.

-End of Report-